

**North 33<sup>rd</sup> Street and Cornhusker Highway**  
**Historic Property Identification and Evaluation**  
**RTSD B.U. No 5919**  
**City Project No. 702614**  
**NDOT CN 13294**

Section 106 Historic Property Identification  
And Evaluation of Project Effects

Prepared by:  
Historic Resources Group, Inc.



For:



February 2023

## ***Introduction***

This report has been prepared to meet the requirements of historic property identification and evaluation under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Report findings address the project in the area of North 33<sup>rd</sup> Street and Cornhusker Highway in Lincoln, Nebraska where the Burlington Northern Santa Fe (BNSF) railway currently carries heavy train traffic daily on the double-track mainline, resulting in hours daily that each of the three at-grade railroad crossings is blocked to vehicular traffic. The three crossings are located at North 33<sup>rd</sup> and Cornhusker Highway, North 35<sup>th</sup> and Adams Streets, and at North 44<sup>th</sup> Street and Cornhusker Highway. The Railroad Transportation Safety District (RTSD) has completed a Planning and Environmental Linkages Study (PEL) which provided a broad overview of environmental constraints and potential transportation improvements. Direction from the PEL is being incorporated into an Environmental Assessment (EA) which is being prepared by Olsson to evaluate a new grade separation (viaduct) over the BNSF railroad tracks at North 33<sup>rd</sup> Street. Olsson retained Historic Resources Group, Inc. (HRG) to conduct field survey of above ground resources within the area surrounding the project. HRG is a federally certified woman owned small business and authors of this report meet the Secretary of the Interior's Professional Standards in architectural history, history, and archeology. This report will identify historic above ground resources, make National Register eligibility recommendations for those properties, and identify archeological resources within the project area of potential effects. **Figure 1** identifies the project location. To protect property locations, archeological resources are discussed in **Attachment A** to this document.

## ***Project Description***

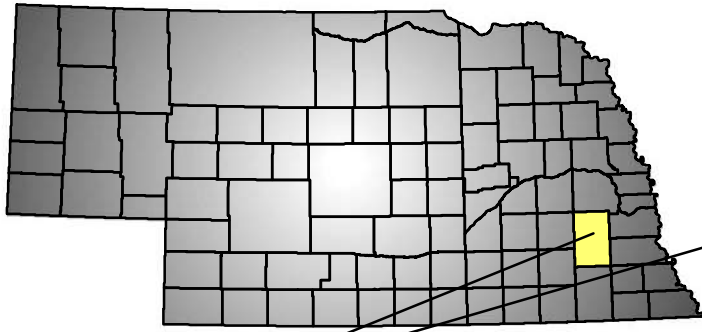
The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a re-aligned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd

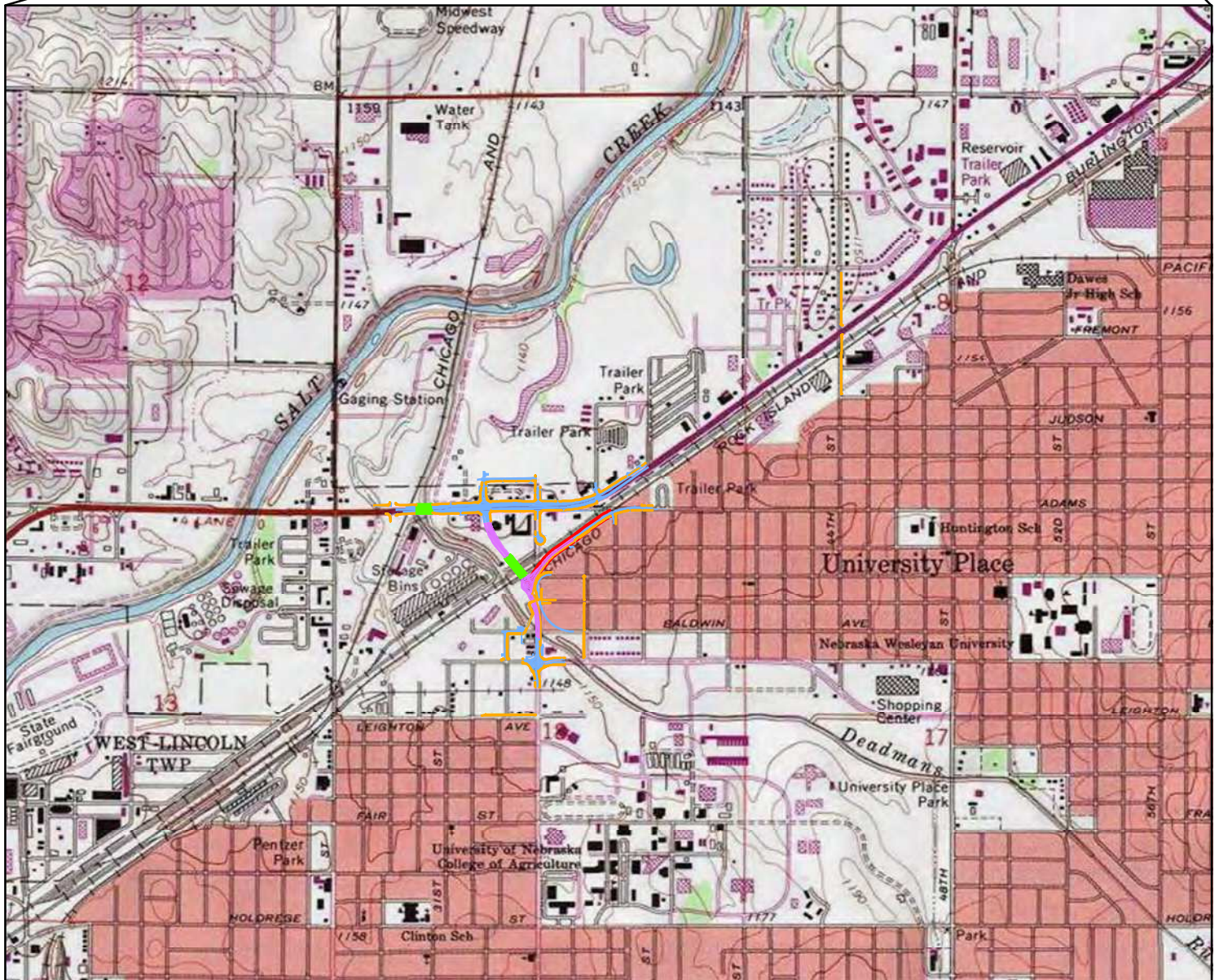
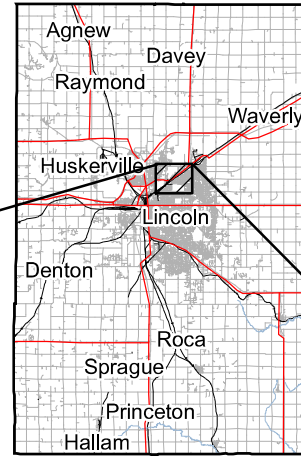


# NEBRASKA

# LANCASTER COUNTY



Project Location



## Legend

- Project Centerline
- Sidewalk Construction
- Roadway/Driveway Construction
- Retaining Wall Construction
- Bridge Construction

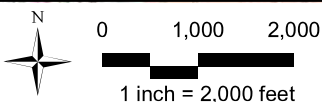
## 33rd & Cornhusker

Lincoln, Nebraska

Olsson Project No. 017-3604-A

**Location Map**

Figure 1



Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue. The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF. Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.



- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### ***Area of Potential Effect***

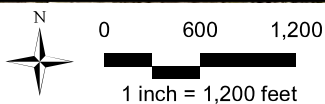
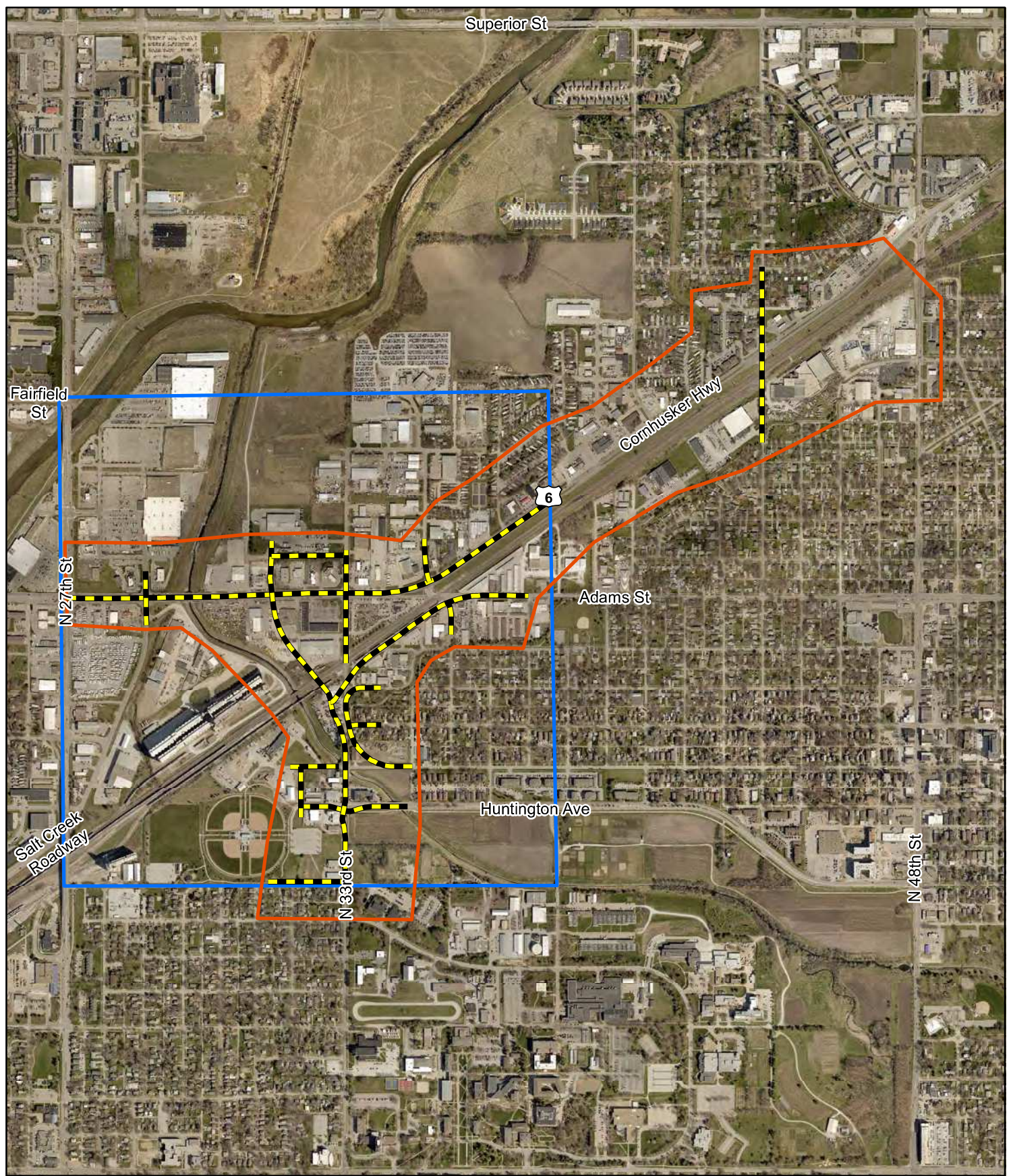
The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 36 CFR 800.16(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33<sup>rd</sup> Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27<sup>th</sup> Street to approximately North 48<sup>th</sup> Street. Here the APE crosses the highway, and returns south/southwest toward North 27<sup>th</sup> Street. An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27<sup>th</sup> to just west of North 39<sup>th</sup> on the east, and Leighton to the south to approximately Fremont Street to the north. This additional APE will aid in the assessment and evaluation of the viewshed impact of the elevated surface of the overpass on historic properties. Although not yet fully designed this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track. The project map at **Figure 2** identifies the APE for this undertaking. This report will incorporate all standing structures within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

### ***Methodology***

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the NeSHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other





- Preferred Alternative
- APE Boundary
- Visual APE Boundary

**33rd & Cornhusker**  
Lincoln, Nebraska  
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**APE Boundary Map**

Figure 2





published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included. This history will contribute to recommendations of NRHP eligibility for surveyed properties, as it will create a framework to understand the development of the built environment. Following identification of previously documented standing structures from existing survey files at both the City of Lincoln and the NeSHPO and conducting contextual research, the field survey was conducted.

#### *National Register Criteria for Evaluation*

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in *National Register Bulletin How to Apply the National Register Criteria for Evaluation*. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

#### *Field Survey*

Field survey will document all standing structures within the APE that are approximately 45 years old or older. Field survey will follow guidelines set forth in the following documents:

- NeSHPO Section 106 Guidelines for Archeology
- Nebraska Historic Resource and Inventory Survey Manual, 2010 Edition
- NDOT NHPA Section 106 Guidelines
- The Section 106 Programmatic Agreement, as amended, between FHWA, NeSHPO, Advisory Council on Historic Preservation (ACHP), and NDOT to Satisfy the Requirements of Section 106 for the Federal-Aid Highway Program in The State of Nebraska.

Each of these documents identify preferred means and methods of field survey and historic property identification. All properties within the APE will be assessed to identify above ground

resources that are approximately 45 years old or older. Each of these properties will then be evaluated for their physical integrity. If a property meets the age standard and possesses physical integrity, it will be included in the survey. Once all properties have been identified, recommendations for NRHP eligibility will be made. Incorporating as many potentially historic properties as possible through the survey will contribute to building a context of the built environment within the APE and assist with thoughtful and thorough recommendations. Historic properties may include buildings, structures, sites, objects, landscapes, parks, and transportation related resources. Groups of buildings may be considered and evaluated for potential historic districts as well. Buildings or properties associated by historic themes will also be considered. All properties within the APE that are 45 years old or older are included in an illustrated table attached at **Appendix A** to this report. For documentation purposes every standing structure within the APE was documented within this survey and included in the table but without a photograph.

Field Survey for this project was undertaken in November and December of 2019, with supplemental field photography in March 2020. An on-site analysis of each property was conducted to assess the existing condition, integrity, and significance of properties within the APE. Information gathered included identifying a style, property type, approximate construction date, as well as alterations, additions, and physical integrity issues. At that time all properties within the APE were digitally photographed and mapped.

Often some properties that are more than 50 years old are not included in a survey primarily due to extensive alterations that significantly diminish their historic integrity. These properties are not generally recorded because alterations have eliminated the significant qualities that may once have contributed to their integrity. Examples include properties with large additions to the main residence or alterations such as enclosed porches with new siding, and new windows. These types of cumulative alterations diminish integrity and detract from any qualities that may have been defining characteristics in eligibility evaluations. However, for documentation purposes, all properties that are 45 years old or older have been included in an illustrated table at Appendix A attached to this report. Other properties included in the survey meet the general age and integrity standards, and their eligibility for the NRHP is based on the local context. Evaluation of the resources took into consideration factors such as context, integrity, and comparative analysis.

In general, the information below for each specific property type was utilized to support the eligibility recommendations as part of this report.

#### *Single Family Residences*

Generally, physical integrity standards are applied most rigorously to houses because houses outnumber all other property types in the built environment. The NeSHPO does not add individual houses to their survey inventory unless they possess some specific area of significance or represent

a historic context expressly identified as part of the purpose of a survey.<sup>1</sup> Residences with alterations such as modern siding like vinyl, steel, or PermaStone are not considered eligible or historic unless those siding materials are original to the building, or represent a significant historic alteration. Other alterations to residences that diminish their historic integrity include replaced windows, enclosed or altered porches, and additions. Sometimes additions and alterations to buildings have reached the 50-year age threshold themselves. However, these alterations must respect the historic integrity and intent of the original design, and not be incompatible with historic design features. An individual residence must retain significant architectural details or historical importance to support eligibility. In the case of isolated residences outside of a neighborhood or farm context, the property must retain a high degree of physical integrity or significance to be recommended eligible. It is important to note that cosmetic appearance and physical condition do not influence a property's historic integrity. Existing historic materials and surrounding context are evaluated independent of deferred maintenance. However, deferred maintenance can lead to a loss of physical integrity, if/when resource materials have been lost or are beyond repair.

Relative rarity because of age or property type is also a consideration for eligibility of single-family residences. Although generally not an issue in urban areas, specific construction methods such as sod or stone represent rare and fleeting property types, and a much broader interpretation of integrity may be applied to these properties. Urban settings, such as this survey area, may retain isolated resources that predate the commercial development of the area. In these cases, the potential for individual significance will be evaluated on a case by case basis. An example may include an early farmhouse where the associated land has been absorbed into the surrounding development. The residence may then have a larger setback and different architectural style than its neighbors because it predates the platting of the neighborhood.

Individual residences within this APE have also been evaluated for their potential to contribute to an historic district if one is present, as well as any thematic studies or contexts that may be appropriate.

#### *Residential Historic Districts*

Groups of residences in appropriate settings are evaluated within their respective historical and physical context as an historic district. Because larger groups of buildings can speak to a greater area of significance and historic development, minor alterations to individual buildings that may be incompatible with the historic design intent may be overlooked, provided those alterations do not diminish the historic integrity of the property or its ability to contribute to the district. For

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<sup>1</sup> 2010 Survey Manual



example, an individual residence with non-historic siding, but with no additions or other alterations may still contribute to a district when it would most likely not be considered individually eligible.

Residences in the study area were evaluated both individually and as potential components of historic districts. In the case of historic districts minor alterations to the area as a whole are also tolerable provided the character defining features of the neighborhood are retained. Contextual considerations for evaluating residential historic districts include consistency in massing, configuration, landscape, setback and physical relation to other buildings. Identifying character defining features of a group of buildings, retention of historic integrity, and consistency throughout the area are the types of features that contribute to recognizing historic districts. For example, a late 19<sup>th</sup> century neighborhood with infill modern apartment buildings, mid-20<sup>th</sup> century residences, and commercial properties peppering the area most likely will not retain the character defining features that speak to the significance of the area. A district should be generally consistent in the types of residences, contain minimal modern infill, and retain a majority of buildings contributing to the district.

No residential historic districts were identified as part of this study.

#### *Commercial/Industrial Buildings*

Commercial buildings in the study area were evaluated both individually and as components of potential historic districts. Alterations to commercial buildings typically occur on the main first floor storefronts. Frequent changes through time, often with applied non-historic materials to accommodate new uses, are evaluated based on the size, scale, and configuration of the storefront. A storefront that retains the historic opening size and setbacks, such as recessed entrances with display windows, but has been replaced with new materials may not significantly diminish the buildings physical integrity. However, a storefront where the openings size and shape have been altered or in filled can significantly affect historic integrity.

The number of stories or building height and massing also contribute to evaluating eligibility and integrity in a commercial resource. For example, a significantly altered storefront on a one-story building consumes more surface area and percentage of historic material than a multi-story building with an altered storefront. The one-story building will have less ability to convey significance and therefore eligibility, than a multi-story building with the same altered storefront. Multiple story buildings have a higher potential to retain integrity simply due to the additional area where historic materials may be present. Multiple-story commercial buildings may tolerate and absorb storefront alterations to a degree but have additional considerations such as the configuration of fenestration. Opening size, materials of window units, space on the building, and configuration of historic units can contribute greatly to a building's historic integrity. Additional façade space generally provides more area for applied ornament and architectural design further

contributing to commercial resources significance and integrity. The cumulative effect of altered storefronts, replaced and/or reconfigured windows, as well as additions will diminish the historic integrity of a multiple story commercial building.

Industrial buildings and complexes have similar issues to commercial buildings. However, industrial complexes often have fewer windows and broader expanses of wall space to accommodate the active interior space. Open lots or broad setbacks are also associated with industrial complexes to provide storage space or outdoor workspace for the function of the property. Many industrial properties represent mass produced building types that were and remain ubiquitous to the built environment's landscape and therefore typically (though not always) retain significance in an area outside of their architecture or design. These buildings are most often constructed purely for the sake of function. As a result, physical integrity can be compromised due to additions and alterations to serve the purpose or address changing needs over time.

Commercial historic districts require similar evaluation techniques as residential districts. In general, similar property uses will contribute to the character defining features of a potential district. Dense urban areas of warehouses and industrial buildings defined by a grid road system or railroad tracks is an example. Groups of commercial or office buildings with support properties such as restaurants and small retail is another example. Groups of historic commercial buildings should generally retain material types (such as masonry or wood), size, scale, massing and continuity in the group. Collections of buildings punctuated by vacant lots, parking areas, modern road systems, and buildings that have been physically altered generally do not create a group cohesive enough to support an historic district. In this study area there are no small groups of historic buildings recommended eligible, and no cohesive groups of commercial buildings sufficient to express significance collectively were identified within the study area. No commercial historic districts are identified or recommended eligible as part of this study (Appendix A).

It is important to note that the physical integrity standards discussed above must be present along with accompanying historic significance. The mere presence of a property that meets the general age standard of this survey report, and that retains physical integrity does not by default result in a NRHP eligible property. Historic significance, partnered with physical integrity, and age must all be present for a property to be recommended NRHP eligible.

### ***Area History and Background Information***

#### ***Setting***

The project area is in northeast Lincoln, Nebraska. Cornhusker Highway forms a linear corridor that bisects the APE from a southwest to northeast direction and runs parallel to the railroad tracks. The project corridor is primarily commercial and industrial in nature with residential neighborhoods southeast and northwest of the highway. At the south end of the APE, the corridor

becomes solely commercial, populated with modern box stores, fast food restaurants, gas/service stations, and extensive surface parking. Also, at the southwest edge of the corridor, Deadmans Run watershed cuts through the APE. This watershed was the focus of an intensive US Army Corps of Engineers (Corps) flood control study that was completed in 2018.

### *Area History*

This project is located in Lincoln, the capital city of Nebraska. The city began as Lancaster in 1859 with a small group of settlers along the east bank of the Salt Creek in south Lincoln. Nebraska became a state in 1867 and the community of Lancaster was selected as the state capital. Like many other states, and counties within Nebraska, discord followed the selection of the capital location. In an attempt to shift it to Omaha, a legislator proposed the name change to Lincoln in the hope of generating controversy. The name change was granted, Lancaster became Lincoln, and planning for the state capital was underway in earnest with locations selected for important streets, parks, a state university and most importantly the capitol square. Important institutions were identified including schools, a county courthouse, market square, churches, historical society, libraries, and other fraternal and commercial enterprises to support the new state capital.<sup>2</sup>

Along with these early city planning efforts, incentives were advertised for the first railroad service provided to the city. The Burlington and Missouri River Railroad won the race with their arrival in 1870. They were followed by the Midland Pacific in 1871 and the Atchison and Nebraska in 1872. However, by the end of the 1870s and throughout the 1880s railroad companies including Union Pacific, Chicago and Northwestern, Missouri Pacific, and the Chicago, Rock Island and Pacific all had lines to Lincoln with the main train station located near the marketplace square, or today's Haymarket.<sup>3</sup>

### *University of Nebraska*

Despite economic ups and downs, Lincoln grew and retained its position as the second largest city in the state, behind Omaha. Much of the stability can be attributed to the state capital and the University of Nebraska. The University contributed to the growth, in part by attracting other smaller private colleges (as an alternative education) that developed their own satellite towns immediately adjacent to the city. These included the Nebraska Wesleyan University campus which opened in 1888 and its associated town of University Place that was eventually annexed into the city of Lincoln in 1926. Nebraska Christian University established their campus in 1890 and

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<sup>2</sup> Ed Zimmer. "Lincoln-Lancaster County" Virtual Nebraska, Nebraska...Our Towns. Accessed at [www.casde.unl.edu/history/counties/lancaster/lincoln](http://www.casde.unl.edu/history/counties/lancaster/lincoln) 29 December 2019

<sup>3</sup> Ibid.



Bethany Heights grew around it, until its annexation also in 1926. Union College opened its campus in 1891 and the town of College View followed until its annexation in 1929.

The colleges were not the only impetus for town development around Lincoln. Havelock was a company town organized around Burlington and Missouri River Railroad shops. It was incorporated in 1893 and annexed into Lincoln in 1930. Today, Havelock and University Place are both near the project study area of this undertaking.<sup>4</sup>

The University of Nebraska itself was an important factor to the stability of the community and contributed directly to growth through its own expansion. Chartered in 1869, the University grew quickly, first evidenced by the satellite Farm Campus east of town added in 1873. At the time, it was considered a great distance from the main city campus and consisted of a farmhouse with associated out buildings and land to serve the agricultural students at the University. By 1915 University administrators debated the benefits of consolidating the farm and main, but following a vote, retention of both campuses was supported, which signaled the first era of major growth at the Farm Campus. Chancellor Benjamin Andrews began developing the Farm Campus with the construction of large buff-colored brick buildings surrounding a central mall. This development took place close to the farm in the area of North 33<sup>rd</sup> and Holdrege Streets. What is referred to as East Campus today retained the rural feeling with its barns, livestock and test fields intact despite the new construction.<sup>5</sup> The name shift from the farm campus to East Campus happened during the 1960s, a time of massive growth for the university.

Lincoln's diverse economy included significant aviation industry with the establishment of the Lincoln Army Airfield in 1942. The Airfield supported military efforts during World War II by training aviation mechanics and processing 40,000 troopers for combat. It shifted its mission and was renamed the Lincoln Air Force Base in 1952 contributing to the Korean War and finally returning to a municipal airport in 1966.

### *Cornhusker Highway*

The corridor of Cornhusker Highway that is part of this project study area was historically associated with the Omaha-Lincoln-Denver (O-L-D) and later, the Detroit-Lincoln-Denver (D-L-D) Highway. Though a specific midwestern link, this highway was a component of a nationwide system connecting the east and west coasts from Boston to Los Angeles. In the early days of organized road development, most highways were named rather than numbered, and the popularity of the automobile forced a surge of the Good Roads Movement across the country.

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<sup>4</sup> Ibid.

<sup>5</sup> [www.unl.edu/about/history](http://www.unl.edu/about/history) accessed 29 December 2019

The Omaha-Denver Trans-Continental Route Association was established in May 1911 to envision a permanent route across the state and into Colorado. By 1920 several shorter highway routes were combined into a continuous highway from Detroit to Denver. The road was developed as part of the nationwide Good Roads Movement and through extensive advertising and commercial sponsorship from communities and businesses located along the route. To efficiently construct this highway, the organizing association connected segments of existing roads together, rather than building new corridors. In the eastern part of Nebraska, the route often followed the established Chicago, Burlington and Quincy Railroad corridor before shifting in the western part of the state to closely follow the Republican River valley then shifting north to again follow the rail line into Colorado.

Safety concerns quickly became an issue because of increased traffic congestion and inappropriate engineering mostly as a result of connecting segments of existing roadways. As early as 1913, numerous railroad crossings, narrow bridges, and sharp turns had to be clearly marked. Burlington Railway placed alarm bells at railroad crossings and made sure approaches and crossings were well graded to assist motorists and improve safety of auto/rail crossings. Tourist traffic was so heavy, promoters estimated that 75,000 tourists traveled the route in 1919. Across the state tourist attractions and services were constructed to support the booming business.<sup>6</sup>

As highways became regulated and state and federal funding and regulations were established in 1916, the D-L-D route began to change and become more standardized. It became part of the state highway system in 1919 and was designated Nebraska State Highway 6 in 1924 when numbers were assigned to named highways to unify highway identification across the country. The Federal Department of Agriculture formally announced the numbered highway system in 1925 and Nebraska State Highway 6 became a federal highway in 1926. Though the corridor was associated with several route numbers through the 1930s, by 1940 it was finally designed as U.S.-6. Not to shift too far from the tradition of naming highways, the corridor was designated as the national route honoring the Grand Army of the Republic in 1937 and the Nebraska Department of Roads (NDOR) in 1947 placed markers every 25-miles along the corridor. None of the signs remain today as they were removed by theft, vandalism, maintenance and after extra supplies were exhausted, they were no longer installed. However, the route is still called the Grand Army of the Republic Highway and other states commemorate it through signage.<sup>7</sup>

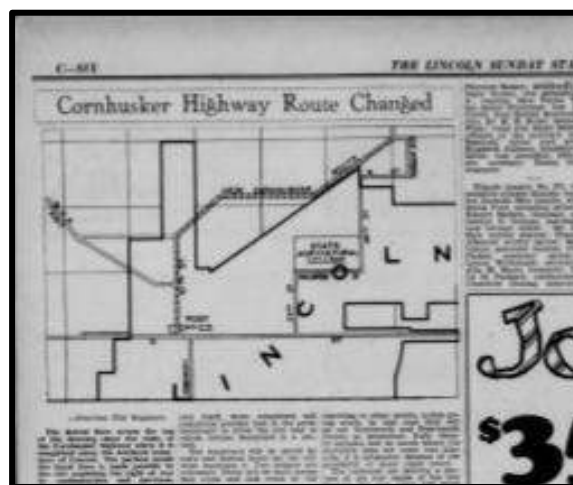
In Lincoln, the D-L-D Highway, along with the Lincoln Highway and several other named highways made their way through downtown along “O” Street. As traffic increased the city proposed a route change to bypass downtown to save time and increase safety. The Lincoln *Sunday*

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<sup>6</sup> Mead and Hunt, *Nebraska Historic Highway Survey*, August 2002, pp 31-35.

<sup>7</sup> Ibid. 37-38.

*Star* documented the new route in 1930 showing the new Cornhusker Highway route around the north side of the city limits at the time. It was planned as a paved route that would allow motorists to go around the city and not have to go through Havelock, University Place, or Lincoln when trying to get around town. This project was done in partnership with the railroads because the new route significantly reduced the number of cars crossing their tracks. This new route became the U.S. 6 bypass and is the route of Cornhusker Highway today and includes the corridor within the project study area of this undertaking.<sup>8</sup>



*Lincoln Star newspaper from February 2, 1930 illustrating the new route of Cornhusker Highway around the north side of the city limit. This represents the present route of the road today and the segment within the project APE for this undertaking.*

The corridor became so popular that its original intent as a bypass to relieve the heavy traffic downtown almost immediately failed. Numerous newspaper articles from the 1940s document the almost instant commercial growth along Cornhusker Highway within this corridor and how traffic trying to access the businesses and cross the railroad tracks caused significant congestion in what was meant to be an area to relieve congestion. The Nebraska Department of Roads went so far as to approach the state legislature to empower them to regulate the development and access to the highway, although their efforts failed. The attempts to building the new Cornhusker Highway as a convenient bypass for Highway 6 around the north side of town to alleviate congestion along “O” Street in downtown, resulted in a new area of congestion and traffic in Lincoln.<sup>9</sup>

During the period between the 1930s and 1950s business development along the corridor included grocery stands, restaurants, garages, and gas stations. The second generation with buildings dating to the 1960s and 1970s evolved into more commercial business enterprises and light industrial

<sup>8</sup> “Cornhusker Highway Route Changed.” *Lincoln Sunday Star*, 2 February 1930.

<sup>9</sup> *The Lincoln Star*. July 1943-January 1954.



areas. The built environment shifted to mass produced metal buildings for both residential and commercial purposes, multi-tenant buildings like strip malls, and mobile homes.

### ***Survey Summary Results***

Every property within the APE for direct effects was surveyed as part of this undertaking. That includes 173 commercial, industrial, and residential buildings that are illustrated in the table at Appendix A. Property types represented within this cultural resource study include light industrial, commercial, residential and educational. Property development within the APE can be linked to subdivisions annexed into the city over the decades. The earliest annexations are located at the south and east end of the project area near and around North 33<sup>rd</sup> Street. The primarily single-family houses at 33<sup>rd</sup> and Merrill as well as at 33<sup>rd</sup> between Madison and St. Paul Avenue are part of subdivisions annexed between 1889 and 1890. A summary of the property types evaluated during field survey are discussed below.

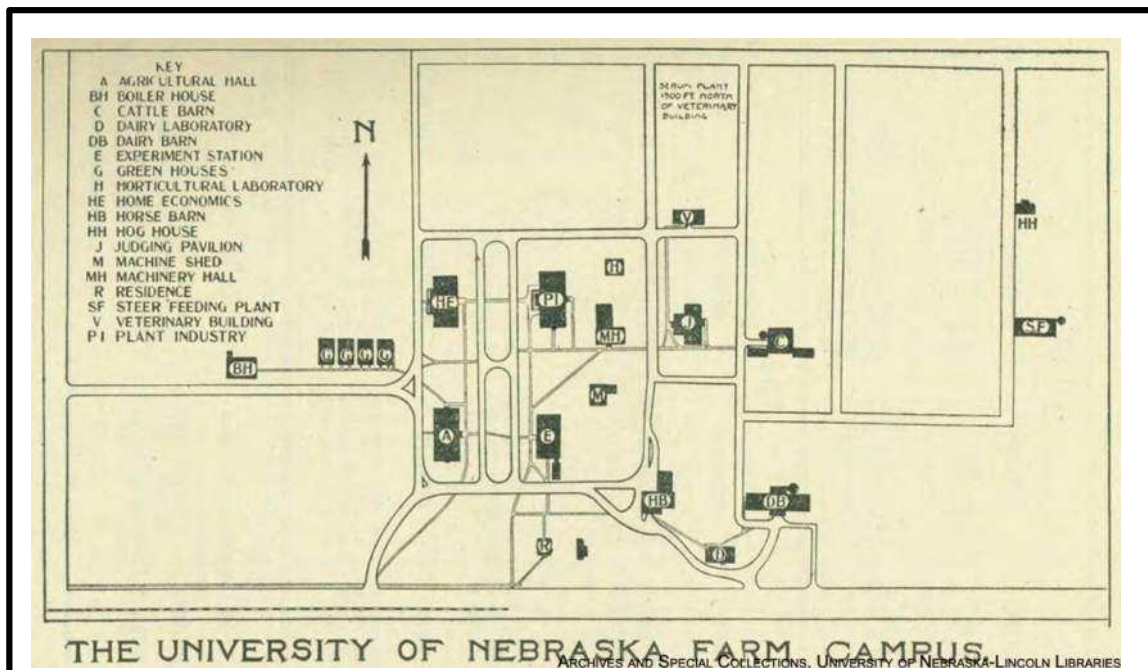
#### ***Educational***

Within the APE, the area around East Campus represents some of the earliest development. However, the small portion of agricultural field within the APE is the latest addition to this portion of campus. East Campus was developed as the University's farm campus in 1873, four years after the University was established as the land grant University in Nebraska in 1869. The farm campus was located at North 33<sup>rd</sup> and Holdrege Streets and was comprised of a farmstead with a stone house, barns and agricultural fields to provide experiential learning for the students. Farm campus existed as a unique element to the University and expanded with the construction of its own campus quad with formal brick buildings which represented a significant departure from the farm and open fields. By 1915 a formal quad was developed with classically inspired buildings and landscape. The campus continued to develop over the decades with one notable addition including the tractor test facility that certified the towing and power capacities of tractors as claimed by their manufacturers. An oval test track was constructed, and the tractors' towing capacity would be tested until failure to verify their strength. The tractor test lab continues as an officially designated tractor testing station today. The original 1919 tractor test building has been converted to the Larsen Tractor Test and Power Museum. East Campus continued to develop throughout the 20<sup>th</sup> century with a significant burst of growth during the 1960s. During this decade, the University grew significantly, and East Campus saw major changes. For the first time, non-agricultural buildings were added to house the Dental School, Nebraska ETV, and the Nebraska Center for Continuing Education. The name was also officially changed from the Farm Campus to East Campus. By this decade the boundary of the campus was extended to the boundaries that exist today and include the agricultural fields at North 33<sup>rd</sup> and Huntington Streets that are within the APE for this undertaking.

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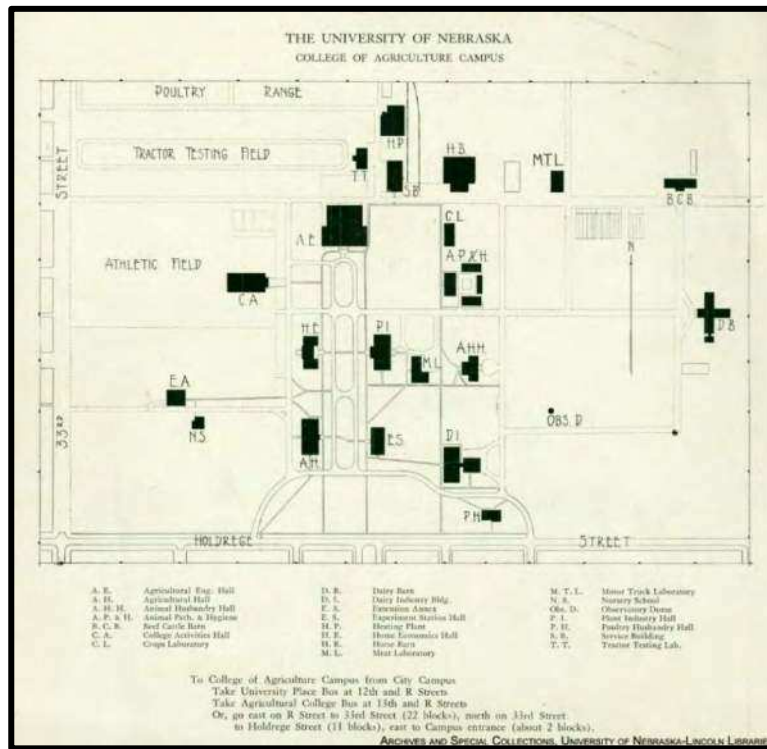
Ed Zimmer, then City of Lincoln Historic Preservation Planner, was consulted regarding potential historic significance and NRHP eligibility of east campus. As a Certified Local Government (CLG), Zimmer is responsible for the city's historic preservation program as funded by the NeSHPO. Zimmer concluded that a possible historic district at East Campus could be evaluated, but that a potential district boundary would extend to include the historic campus quad, but not beyond that area given the modern construction, infill, and development of East Campus. This consultation in addition to the later development, and the new construction of the built environment and sites at the north end of east campus concludes with a recommendation that the agricultural fields are not eligible. The only East Campus building that is within the APE for this undertaking is the Game and Parks office which was constructed in 1972 and is not recommended eligible. It does not exhibit characteristics of properties from the recent past that represent important historical or architectural significance.

The three images below illustrate the evolution of East Campus and were provided by the University Library and Archive and accessed at [www.historicbuildings.unl.edu](http://www.historicbuildings.unl.edu)

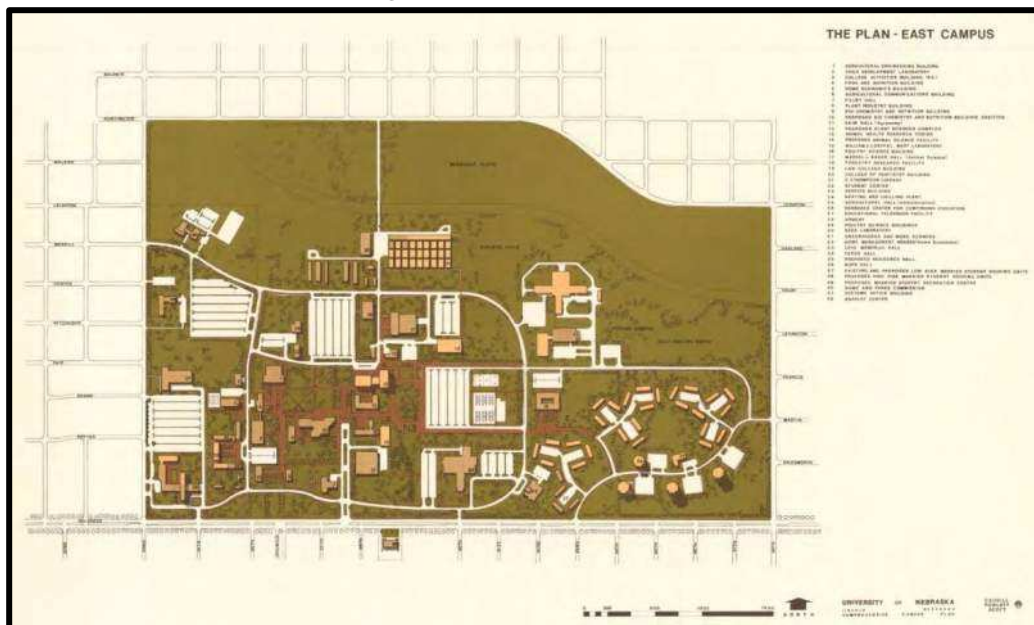


*Map of Farm Campus from 1914. Map shows the orientation of campus quad toward Holdrege street*

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Map of Farm Campus from 1927. Campus has added buildings north and east of the quad, but main orientation remains south toward Holdrege St.



Map of East Campus from 1968. By this time East Campus has expanded to the boundary that exists today and began adding non-agricultural related buildings.

### *Residential*

Residential properties within the APE consist of a wide variety of generally small-scale single-family houses, multiple unit apartment buildings, mobile homes, and rental properties. The oldest residential properties are at the south end of the project area along North 33<sup>rd</sup> Street and Merrill as well as at North 33<sup>rd</sup> between Madison and St. Paul Ave. These subdivisions were annexed by the City of Lincoln in 1889 and 1890, however none of the residential stock reflect that building era. The houses in the neighborhood of 33<sup>rd</sup> between Merrill and Leighton are mostly one to one-and-a-half story cottages built between the 1920s and the 1970s. Most of them have been altered with new windows, enclosed porches, new siding/cladding materials, and additions

The residential neighborhood at North 33<sup>rd</sup> between St. Paul Ave and Madison Street illustrates the same development pattern with almost all properties constructed between 1952 and 1962. These houses are one-story cottages, minimal traditional, and ranch style with a variety of alterations including new windows, doors, siding/cladding materials, and additions. A series of apartment buildings forming a large complex at North 33<sup>rd</sup> and Huntington dates to 1975 and beyond. No residential historic district was identified due to a lack of physical integrity and NRHP significance, refer to Appendix A.

North of Cornhusker Highway residential properties include a mobile home park along with apartment complexes which due to age do not meet minimum survey requirements.

Two brick residential properties at North 48<sup>th</sup> and Fremont Streets had been previously evaluated by the City of Lincoln historic preservation program and identified as not eligible for the NRHP. The two residential properties include a one-story bungalow with front porch and a two-story Neo-Colonial Revival. Consultation with Ed Zimmer, City Historic Preservation Planner confirmed that both properties have diminished physical integrity and neither have significant associated historic contexts related to NRHP significance criteria.



*Residential properties at 3533 and 3545 N 48<sup>th</sup> Street.*



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*View of residential neighborhood at North 38<sup>th</sup> and St. Paul Streets. This area represents a typical residential collection of buildings found within the APE for this undertaking*



*North 40<sup>th</sup> Street at Fremont and Kim looking generally northeast into the mobile home park.*

### *Industrial*

Light industrial properties are located primarily along the south side of Cornhusker Highway. A strip of land between the railroad tracks and other commercial or residential development is zoned industrial where many of these properties date to the 1960s and consist mostly of prefabricated metal buildings. North of Cornhusker Highway the properties immediately adjacent to the road are zoned for Highway Commercial activity while some of the second-tier properties north of the highway are zoned industrial. Here, again, the built environment consists primarily of prefabricated metal buildings dating to the post 1975-era. Industrial properties on the southeast side of Cornhusker Highway represent an earlier generation of buildings, but none of the buildings have been identified as NRHP eligible. By the very nature of most industrial properties, they are ever changing to accommodate new technology as well as fluctuating needs in production. Industrial properties are often set back from other commercial buildings with open storage areas either paved with concrete, covered with gravel, grass or compacted soil. No industrial buildings were identified as NRHP eligible within the APE for this undertaking (Appendix A).



*Examples of Industrial properties within the APE include the Aramark Uniforms and Apparel property at 3300 N 41<sup>st</sup> Street and RMP (Rivers Metal Products) a metal fabrication company at 3100 N 38<sup>th</sup> St.*

### *Commercial*

Commercial properties extend from the southern most point of the APE corridor and continue throughout the entirety of the study area. The area along Cornhusker Highway is zoned for Highway commercial and retains everything from electric companies to automotive repair to restaurants to retail. In this area there are many more building types represented because of the variety of construction dates and development periods represented within the built environment. Examples range from 1950s brick commercial storefronts, to 1970s commercial blocks, to contemporary strip malls and gas/service stations. Given the heavy traffic and density of the area most of these properties have been modernized or altered over time and none are recommended National Register eligible as part of this undertaking.



*Examples of commercial properties within the APE include Virginia's Travelers Café at 3820 Cornhusker Highway and Metzger's Auto Service at 3730 Cornhusker Highway*

### ***Other Documentation***

In August 2018 the Corps published a final Integrated Feasibility Report and Environmental Assessment to address flood risk management along Deadmans Run. Part of that undertaking included an evaluation of cultural resources, a portion of which was in and near the APE for this undertaking. In the cultural resources section of the final document in section 5.1.10, on page 98, the Corps concluded that, “Surveys and investigation indicated that although there were numerous historical sites and properties within the local area, none of these sites or properties are located within the APE; therefore, under the proposed alternative, no impacts to historical properties are anticipated to occur.” The reference to numerous historical properties within the area includes NRHP listed properties within one mile of the APE that followed the linear corridor of Deadmans Run watershed. It is important to note that there were no historic properties within their APE and no historic properties identified as part of the survey and evaluation efforts they undertook. A link to this report can be found at <https://www.nwo.usace.army.mil/Missions/Civil-Works/Planning/Planning-Projects/LincolnNE/>



### ***Recommended Project Effects***

Field survey and context development, along with consultation with NeSHPO and the City of Lincoln Historic Preservation department have identified no NRHP eligible properties within the APE for this proposed undertaking. In order to accommodate potential effects caused by construction of an elevated roadway as well as an elevated pedestrian crossing, a supplemental APE to address potential effects to historic properties was identified. This supplemental APE took into account the height of the proposed new elements on the landscape and the effect they may have on the viewshed to and from historic properties. However, there are no historic properties within the supplemental APEs for either the proposed elevated roadway or the elevated pedestrian crossing.

The area surrounding the pedestrian crossing extends approximately ½ block north of the APE for the undertaking. The built environment along Colfax Avenue consists of one-story residential properties of contemporary construction. The supplemental viewshed APE in the area surrounding North 33<sup>rd</sup> Street and Cornhusker Highway incorporates portions of the mobile home park along with contemporary big box stores and fast food restaurants.

This report also took into consideration the potential for long term and indirect effects as a result of the proposed construction of the grade separations and railroad safety project. This area is primarily commercial and industrial that serves the multi-modal public. Zoning throughout the corridor currently accommodates the mix of commercial and industrial uses with residential neighborhoods on the fringes. The proposed project would not cause an overall increase or decrease of traffic volumes in the corridor, nor will it prohibit or enhance zoning changes or commercial development that does not already exist. Further, the area is fully developed along the corridor and has very specific constraints defined by the active railroad tracks and busy Cornhusker Highway.

Properties within this study illustrate diminished and lost physical integrity due to significant alterations over time which include new cladding materials, additions, replacement windows and doors, and deterioration. Collections of buildings were considered both individually and within the context of a potential historic district. No properties meet NRHP eligibility requirements. Given the number of properties within the study and the lack of eligible properties, evaluation methods are addressed and presented collectively in this report. Each building surveyed is illustrated in the table at Appendix A to document their current condition, and reference that each building was included in the evaluation. Additionally, there are no properties that illustrate exceptional significance or rise to any of the NRHP criteria considerations.

***This report recommends that there are no historic properties within the APE identified at Figure 2 for this undertaking. It further recommends that there will be no historic properties affected by the undertaking, including long term and indirect effects.***

# Appendix A: Illustrated Table of Properties Surveyed

*Photos for properties 45 years old and older only*

Address	Construction Date	Eligible	Photo
3284 Merrill St	1983	N	N
3280 Merrill St	1977	N	N
3274 Merrill	1937	N	
3291 Leighton Ave	1930	N	
3285 Leighton Ave	1985	N	
3281 Leighton Ave	1930	N	
3275 Leighton Ave	1950	N	
3269 Leighton Ave	1925	N	
3265 Leighton Ave	1954	N	
2301 N 33 St	1975	N	
2333 N 33 St	1987	N	N
2415 N 33 St	1973	N	

2435 N 33 St	1965 N	
2505 N 33 St	1975 N	
2525 N 33 St	1963 N	
2535-47 N 33 St	1967 N	
2705 N 33 St	1963 N	
2747 N 33 St	1960 N	
2829 N 33 St	1997 N	N
3243 Cornhusker Hv	2006 N	N
3304 Madison Ave	1972 N	
3300 Huntington	1975 N	



33 & Baldwin



3309 St. Paul Ave

1954 N



3317 St. Paul Ave

1952 N



3323 St. Paul Ave

1960 N



3331 St. Paul Ave

1951 N



3337 St Paul Ave

1952 N



3347 St Paul Ave

1952 N



3409 St Paul Ave

1954 N



3417 St Paul Ave

1917 N



3435 St Paul Ave

1962 N



3445 St Paul Ave

1952 N



3440 St Paul Ave

1952 N



3430 St Paul Ave

1952 N



3422 St Paul Ave

1952 N



3410 St Paul Ave

1952 N



3400 St Paul Ave

1952 N



3344 St Paul Ave



1950 N








3338 St Paul Ave

1940 N



3330 St Paul Ave	1952 N	
3320 St Paul Ave	1952 N	
3310 St Paul Ave	1987 N	N
2721 N 35 St	1987 N	N
2727 N 35 St	1988 N	N
3310 Madison Ave	1920 N	
3312 Madison Ave	1990 N	N
3316 Madison Ave	1990 N	N
3400 Madison Ave	1989 N	N
3430 Madison Ave	1986 N	N
2851 Madison Ave	1995 N	N
3425 Cleveland Ave	1996 N	N
3333 Cleveland Ave	1980 N	N
3320 Cleveland Ave	1994 N	N
3520 Cleveland Ave	1998 N	N
2933 N 36 St	1968 N	
2945 N 36 St	1975 N	
2900 N 36 St	1980 N	N
2936 N 36 St	1964 N	



3625 Adams St	1952 N	
3645 Adams St	1955 N	
3701 Adams St	1989 N	N
3711 Adams St	1989 N	N
3733 Adams St	1990 N	N
2905 N 38 St	1986 N	N
2920 N 38 St	1980 N	N
2960 N 38 St	1977 N	
3700 Adams St	2002 N	N
3830 Adams St	1960 N	
3100 N 38 St	1989 N	N
3103 N 38 St	1900 N	
3117 N 39 St	1930 N	
3154 N 40 St	1960 N	

3164 N 40 St	1920 N	
3176 N 40 St	1910 N	
3201 N 41 St	1977 N	N
3171 N 41 St	1993 N	N
3300 N 41 St	1968 N	
3415 N 44 St	2016 N	N
3425 N 44 St	1963 N	
3500 N 44 St	N	
4700 Fremont St	1966 N	
3545 N 48 St	1930 N	
3533 N 48 St	1930 N	






3505 N 48 St	1969 N	
4630 Hartley St	1962 N	
4621 Hartley St	1980 N	N
4645 Hartley st	1978 N	N
4713 Hartley St	1950 N	
3449 N 48 St	1977 N	N
3646 N 48 St	1998 N	N
3635 N 49 St	1958 N	
3625 N 49 St	1961 N	
4844 Fremont St	1951 N	
4830 Fremont St	1947 N	
3500 N 48 St	2009 N	N
4825 Fremont St	1920 N	
4835 Fremont St	2002 N	N

4845 Fremont St	1949 N	
4900 Hartley St	1958 N	
4830 Hartley St	1988 N	N
4538 Cornhusker Hv	2001 N	N
4530 Cornhusker Hv	1973 N	
4500 Cornhusker Hv	1989 N	N
4400 Cornhusker Hv	1989 N	N
3706 N 44 St	1974 N	
3720 N 44 St	1940 N	
3730 N 44 St	1960 N	
4330 Cornhusker Hv	1974 N	
3615 N 44 St	1973 N	
4341-4321 Edison Ci	1979 N	N



4342 Edison Cir	1935 N	
3721 N 44 St	1964 N	
3731 N 44 St	1972 N	
4320 Edison Cir	1973 N	
4300 Edison Cir	1971 N	
4200 Edison	1974 N	
4300 Cornhusker Hv	1972 N	
4300 Cornhusker Hv 1992 (APTS)	N	N
4242 Cornhusker Hv	1991 N	N
4200 Cornhusker Hv 1970-2010	N	Mobile Home Park
4000 Cornhusker Hv	1960 N	
3940 Cornhusker Hv	1978 N	N

3900 Cornhusker Hv	1950	N	
3820 Cornhusker Hv	1950	N	
3511 N 40 St	1978	N	N
3510 39 Cir	1978	N	N
3500 39 Cir	1983	N	N
3501 39 Cir	1984	N	N
3509 39 Cir	1996	N	N
3810 Cornhusker Hv	2004	N	N
3800 Cornhusker Hv	1967	N	
3770 Cornhusker Hv	2013	N	N
3750 Cornhusker Hv	2003	N	N
3730 Cornhusker Hv	1995	N	N
3710 Cornhusker Hv	1966	N	
3400 N 37 St	1980-2010	N	Mobile Home Park
3630 Cornhusker Hv	1979	N	N
3520 Cornhusker Hv	1986	N	N
3510 Cornhusker Hv	1952	N	
3500 Cornhusker Hv	1979	N	N
3026 N 35 St	1993	N	N
3636 Cornhusker Hv	1986	N	N

			
3450 Cornhusker Hv	1959	N	
3017 N 35 St	1997	N	
3015 N 35 St	1997	N	
3025 N 35 St	1997	N	
			
3400 Cornhusker Hv	1965	N	
			
3320-3030 N 33 st	1955/1989	N	
3100 N 33 St	1981	N	
3120 N 33 St	1983	N	
3244 Cornhusker Hv	1994	N	
			
3441 Adams St	1940/1985/2015	N	
3210 Cornhusker Hv	1994	N	
3130 Cornhusker Hv	1999	N	
3100 Cornhusker Hv	1997	N	
			
3223 Cornhusker Hv	1972	N	
3010 Cornhusker Hv	1991	N	
			
3131 Cornhusker Hv	1972	N	
			
2940 Cornhusker Hv	1954	N	

3101 Cornhusker Hwy	N	
2920 Cornhusker Hv	1978 N	N
2904 Cornhusker Hv	1994 N	N
2929 Cornhusker Hv	1958 N	
2939 Cornhusker Hv	1961 N	
3001 Cornhusker Hv 1955/1970/2000	N	
2825 Cornhusker Hv	1989 N	N
2919 Cornhusker Hv	1993 N	N
2820 Cornhusker Hv	2013 N	N
2801 Cornhusker Hv	1972 N	
2810 Cornhusker	1990 N	N
2800 N 27 St	2004 N	N
2712 Cornhusker Hv	1998 N	N



**ATTACHMENT A. ARCHEOLOGICAL SURVEY INFORMATION CONFIDENTIAL**  
***Archeological Resources***

Archeological resources were included in the previous PEL study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four site numbers to properties within that previous study area. None of those four sites were recommended NRHP eligible. The APE for the undertaking has been refined based on the proposed alternate moving forward. As such, these studies and the assigned archeological site numbers are no longer within the direct APE for the undertaking. They are however located within the APE for visual effects from construction of the proposed elevated roadway.

Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are previously undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking. No significant archeological sites were identified within the APE.

This report recommends that there will be no archeological historic properties affected by this undertaking. There are no NRHP eligible properties within the direct APE and no known eligible properties within the APE for the elevated roadway. However, there is no potential for direct impacts by the viewshed APE on the properties with unassigned eligibility. The following map illustrates the location of the surveys and sites.

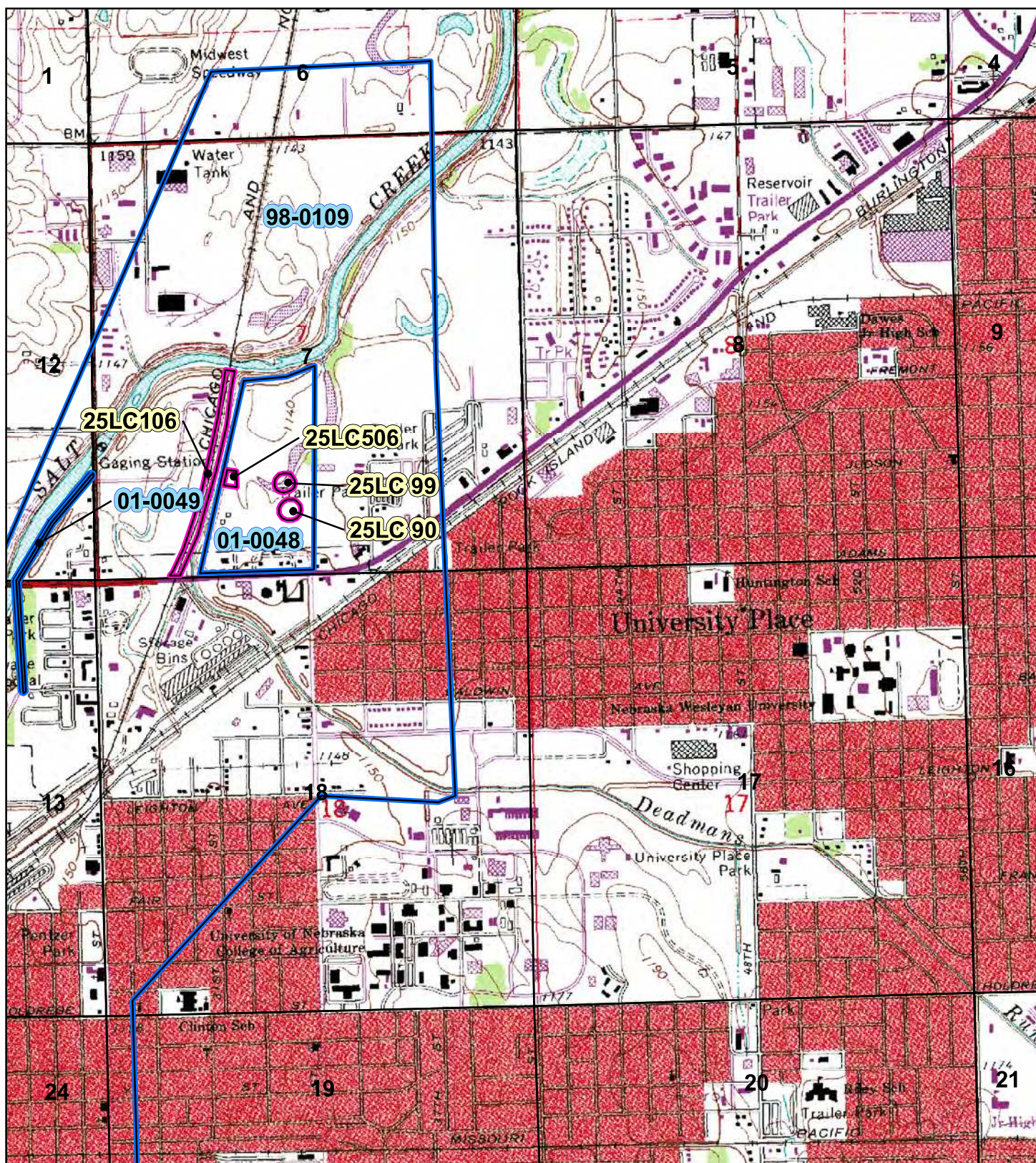
**Table A-1. Previously Identified Archeological Sites**

Site Number	Name	NRHP Eligible
25LC90		Unknown
25LC506	Capital Mills	Unknown
25LC99		Unknown
25LC106		Not Eligible

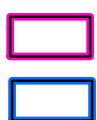
**Table A-2. Archeological Surveys**

Survey Name	Author	Date
Archeological Inventory and National Register Testing of Sites 25LC90, 25LC99, and 25LC 506, Antelope Valley Study Area	Stan Parks and Stacy Stupka-Burda	11-1-2000
Archeological Inventory and Testing of the Antelope Valley Major Investment Study Area	Stan Parks and Stacy Stupka-Burda	5-4-1998
North 27th Street Bypass Trail	Rob Bozell	12-29-2000





## Recorded Archaeological Sites & Surveys in Project Area



archeo\_site

archeo\_survey

0

0.5 Miles





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## ATTACHMENT B: PROPOSED PROPERTY ACQUISITIONS

### *Summary of Acquisitions*

To accommodate the proposed construction of the grade separation at North 33<sup>rd</sup> Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended National Register eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided below along with a map identifying their location. In addition, a variety of partial acquisitions for features such as right-of-way, temporary easement, sidewalk construction, and other similar construction activities have also been identified. A full table and map of all acquisitions is also provided, but because there are no properties recommended NRHP eligible there is no individual discussion of these partial acquisitions.

*Table of Full Acquisitions*

<i>Address</i>	<i>Map Number</i>	<i>Type</i>	<i>Historic</i>	<i>Property Type</i>
3223 Cornhusker Hwy	5	Full	No	Comm/Industrial
2829 N. 33 St. B	8	Full	No	Comm/Industrial
2829 N. 33 St. C	10	Full	No	Comm/Industrial
2705 N. 33 St.	64	Full	No	Comm/Industrial
2747 N. 33 St.	66	Full	No	Comm/Industrial
2435-45 N. 33 St.	71	Full	No	Comm/Industrial
No Site Address (NE crnr 33 and Baldwin)	93	Full	No	City of Lincoln
No Site Address 94	94	Full	No	City of Lincoln
No Site Address 98	98	Full	No	City of Lincoln
3309 St. Paul	99	Full	No	Residential
3304 Madison Ave	117	Full	No	Comm/Industrial



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3310 Madison Ave	119	Full	No	Residential
3401 Cleveland Ave Or 3333 Cleveland	199	Full	No	Comm/Industrial
3320 Cleveland Ave	201	Full	No	Comm/Industrial
3625 Cleveland Ave	205	Full	No	Comm/Industrial
3000 N 35 <sup>th</sup> St	227	Full	No	Comm/Industrial

North 33<sup>rd</sup> and Cornhusker  
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City Project No. 702614  
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1. 3223 Cornhusker Hwy, 1972  
Map number 5

The property at 3223 Cornhusker Highway was built in 1972 and is an L-shaped single-story strip mall with permastone cladding. Vertical cementitious panels interrupt the cladding at the corners and as panels across the façade. A strip of vertical metal cladding across the cornice/roof line extends across the building as well. An awning projects from the west elevation. A red bubble awning extends across the north façade. Multiple storefront openings are flush to the elevation and the building is setback from the street surrounded by concrete surface parking. At the time of this writing, there were several businesses occupying the building including La Cabana Restaurant and Bar, Cash Solutions, and Urban Photo, and La Mexicana Grocer. The property is not recommended NRHP eligible as it does not meet the 50-year age standard. In addition, this property does not possess individual significance to support NRHP eligibility.



North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
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2. and 3. 2829 N 33<sup>rd</sup> St, 1997  
Map numbers 8 and 10.

Map numbers 8 and 10 include land just north of the railroad crossing at North 33<sup>rd</sup> Street between the tracks and the building at 2829 N. 33<sup>rd</sup> Street. The property at 2829 N. 33<sup>rd</sup> Street is map number 9 and is home to Johnstone Supply Company and is a large-scale prefabricated metal building with very shallow gable end roof. The street facing gable end is clad with vertical light blue metal cladding with brick veneer across the main or east facing facade. The storefront and business openings across the main façade are flush with the wall surface. Second elevations are clad with vertical metal panels. Constructed in 1997 the building is not old enough to be considered eligible for the NRHP. This property consists of tracts 8-10 including the building and the lots immediately adjacent to the building, between it and the railroad tracks. Factory Motor Parts Company is located in the back wing of the building.



North 33<sup>rd</sup> and Cornhusker  
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4. 2705 N 33<sup>rd</sup> St., 1963  
Map Number 64

This property is located south and west of the rail crossing and North 33<sup>rd</sup> Street. The industrial/commercial building is prefabricated metal with a shallow gable end roof. A truncated awning projects across most of the main façade with openings flush to the elevation. The building is home to Star City Auto Sales and Parts an auto and salvage yard. Built in 1963, the property does meet the NRHP age standard of being 50 years old. As a prefabricated metal building, it does not possess historic significance. These types of properties are mass produced for functional storage and industrial uses and this building does not represent a significant property type.





North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

5. 2747 N 33<sup>rd</sup> St., 1960  
Map number 66

The building at 2747 North 33<sup>rd</sup> Street also represents a type of prefabricated metal building. The property is currently owned by Kore Holdings, LLC, though the O’Keefe Elevator Company sign remains prominent on the façade. This property has a sloping shed roof. The main façade is a combination of brick facing with vertical metal panel over the windows and entry door. The metal panel serves as a signboard. Constructed in 1960 this building does meet the NRHP age standard of 50 years, as a prefabricated metal building it does not possess significance as it does not represent a significant property type, nor is it associated with important events or people.



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6. 2455 N. 33<sup>rd</sup> St., 1965  
Map number 71

This one-story building was constructed in 1965. It has a rectangular plan with a two-story addition at the rear of the property. The concrete masonry unit (cmu) building has a flat roof with pedestrian and overhead garage door openings flush to the main façade. The façade is comprised of simple cmu with stamped units that add some texture to the elevation. A red fabric awning shelters and identifies the customer entrance at the main façade. Located at the southwest corner of North 33<sup>rd</sup> and Huntington Streets this property is not recommended NRHP eligible. The commercial property is a basic rectangle constructed using standard cmu with a two-story addition. It does not represent significant architectural style nor does it represent or contribute to other NRHP criteria. At the time of this writing, the building is occupied by Olston's Import Car Sales and Automotive repair.



North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

7-9. City of Lincoln, Northeast Corner N. 33<sup>rd</sup> and Baldwin Streets  
Map numbers 93, 94, 98

This property is owned by the City of Lincoln and does not possess an assigned street address. The three lots retain one large building surrounded by chain link fence and surface storage. The building is a gable roof wood, metal, and brick veneer warehouse dating to approximately 1965. The gable end is clad with vertical siding with brick below. A centered overhead garage door and single window unit next to a pedestrian entrance faces south. Garage openings are present on the east and south elevations facing the storage yard. This building is a mass-produced warehouse style property with no significant architectural detailing or typology. It is not recommended NRHP eligible. The other two properties associated with this unit are empty lots.





North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

10. 3309 St. Paul Ave., 1954  
Map number 99

This one-story minimal traditional cottage has a side gable roof with projecting treated lumber front porch. The main façade has a center entrance with a paired window unit under the shelter of the porch. The window unit has been reduced in size with new window sashes installed. The porch is also an addition from outside the historic period. Siding covers the original cladding material at the residence. This property is not recommended NRHP eligible largely due to alterations that diminish its physical integrity.





North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

11. 3304 Madison Ave, 1972  
Map number 117

This prefabricated metal building is located at the northeast corner of North 33<sup>rd</sup> Street and Madison Avenue. The building has a shallow gable-end roof with vertical metal siding. A plate glass storefront type window with a centered pedestrian entrance within the opening punctuates the main south facing façade. At the time of this writing the building was home to Avenue Cycle. It is not recommended NRHP eligible as it currently does not meet the 50-year age standard, and it is a prefabricated mass-produced metal building that does not possess individual significance to contribute to NRHP eligibility criteria.



North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

12. 3310 Madison Ave, 1920  
Map number 119

This one-story residence has a gable-end roof line with shed bump-out at the west elevation. A projecting gabled door hood at the south facing main façade shelters the main entrance. This door hood has been enclosed with glass and aluminum outside of the historic period. Scrolled columns infill the porch enclosure. Wide siding clads the exterior of the building and new windows have been added. Though this building was constructed in 1920, it is not recommended NRHP eligible due to a loss of physical integrity from additions and alterations over time.



North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

13. 3401 Cleveland Ave.-(3333 Cleveland), 1980  
Map number 199

This one-story commercial building has a side-gable roof and constructed of concrete masonry unit. This lot parallels the railroad and contains one multi-unit commercial building and one garage-type storage building. The commercial building has multiple aluminum and glass pedestrian entrances punctuated by single pane glass windows between. Vertical cladding material at the window bays contrasts with the block walls. Horizontal siding clads the side gables. This property is not recommended NRHP eligible. It was built in 1980 and is outside the 50-year age standard.



North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

14. 3320 Cleveland Ave., 1994  
Map number 201

The property at 3320 Cleveland Avenue runs parallel to the railroad tracks and consists of six identical prefabricated metal buildings on concrete foundations. The buildings have full-height overhead garage doors in the gable ends high enough to accommodate large tractor-trailers. Aluminum and glass pedestrian entrances adjacent to the overhead doors provide access to the various commercial tenants. Constructed in 1994 this property is not recommended NRHP eligible due to its age.

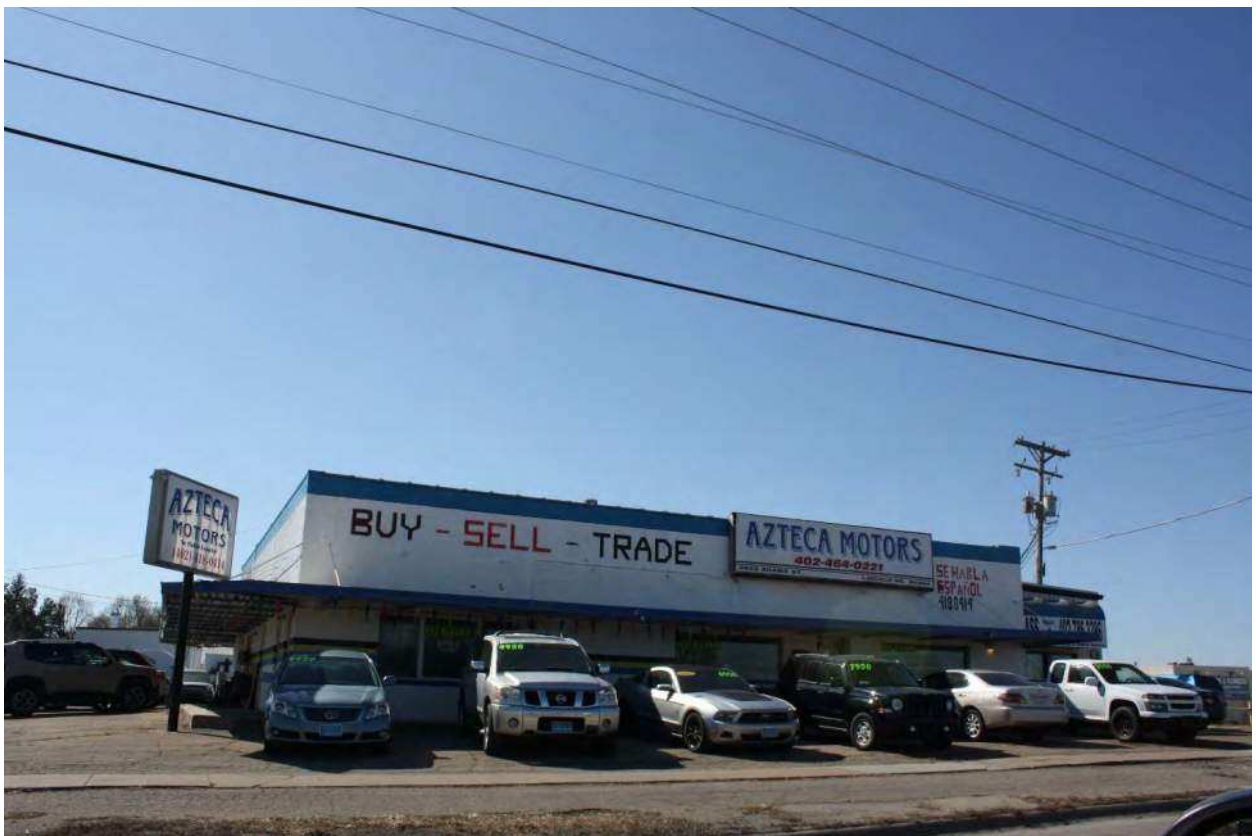




North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

15. 3625 Adams St., 1952  
Map number 205

The building at 3625 Adams Street was constructed in 1952 and is a one-story concrete block building with a full-width projecting flat metal awning. Currently the plain rectangular building is painted white with blue trim and is home to Azteca Motors. A pedestrian entrance with single pane storefront type windows are flush with the main façade. An addition at the west elevation is recessed from the main façade and has vertical siding with a blue canvas awning with white banded Auto Glass sign across the front. This property is not recommended NRHP eligible. Its construction method is common and of the standard mass produced non-descript functional commercial building and does not possess significance associated with NRHP criteria.



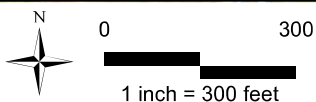
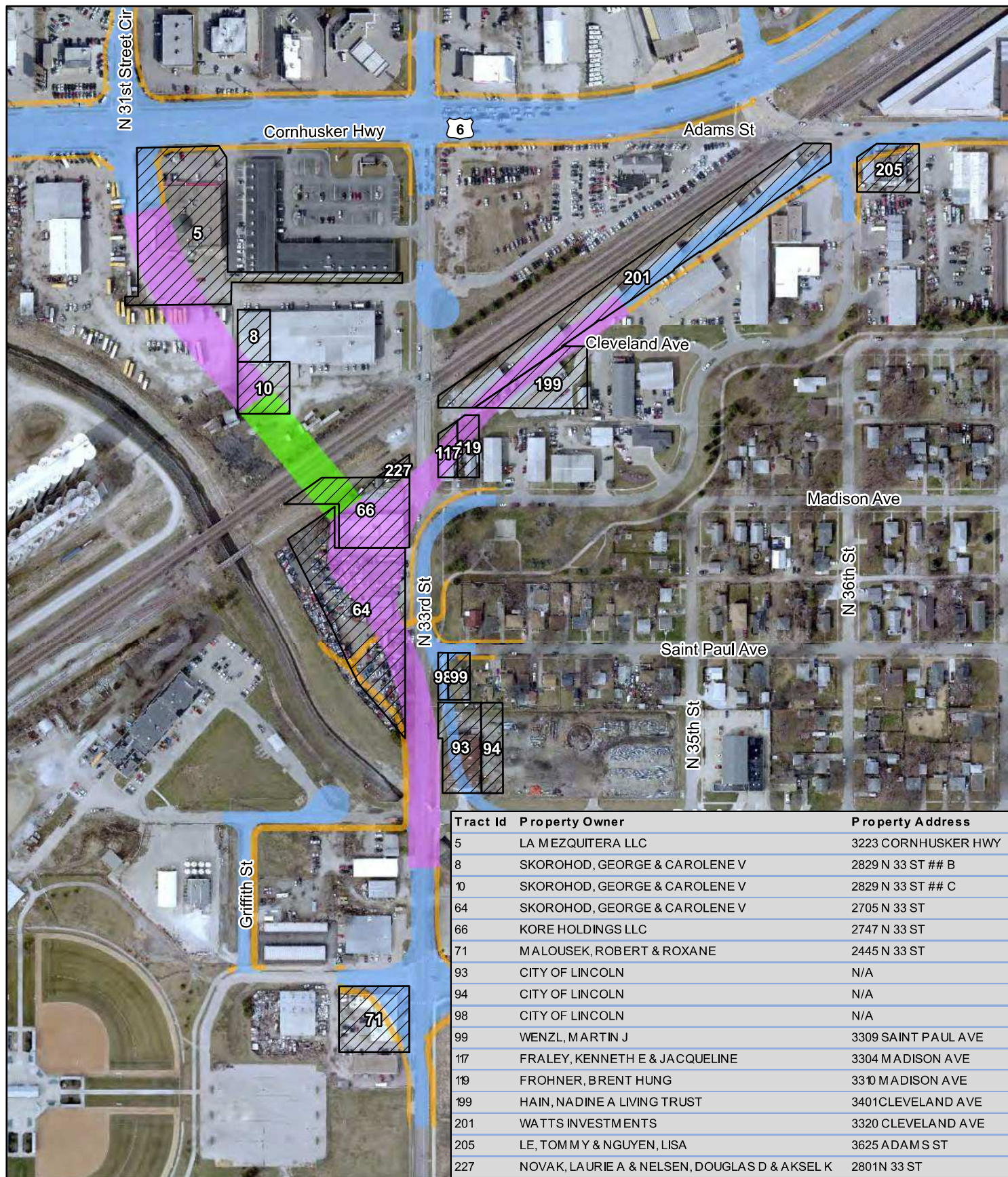
North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

16. 2801 N 33<sup>rd</sup> St., Unimproved lot  
Map number 227

This property is an unimproved triangular shaped empty lot located north of the O'Keefe elevator building and south of the railroad tracks.







### Legend

- Potential Full Property Acquisition
- Sidewalk Construction
- Roadway Construction
- Retaining Wall Construction
- Bridge Construction

**33rd & Cornhusker**  
Lincoln, Nebraska  
Olsson Project No. 017-3604-A  
**Property Acquisition Map**





# North 33rd & Cornhusker - Preliminary Design Property Impacts

Full Acquisition defined as the potential purchase of a property and, if applicable, the relocation of the existing residence or business

Partial Acquisition defined as the potential purchase of some ROW, Temporary and/or Permanent Easement on a property while maintaining functionality to the property

Updated as of March 16, 2020

Tract ID	Property Owner Information	Property Address	Residential?	Commercial / Industrial?	Other?	Acquisition Type?	
						Full	Partial
1	Mapes Industries Inc.	2929 Cornhusker Hwy, Lincoln, NE 68504		X			X
2	30th and Cornhusker Lincoln LLC	3001 Cornhusker Hwy, Lincoln, NE 68504		X			X
3	Skorohod, George and Carolene V	3101 Cornhusker Hwy, Lincoln, NE 68504		X			X
4	John W Plagman	3131 Cornhusker Hwy, Lincoln, NE 68504		X			X
5	La Mezquitera LLC	3223 Cornhusker Hwy, Lincoln, NE 68504		X		X	
6	Ramubhai Patel	3243 Cornhusker Hwy, Lincoln, NE 68504		X			X
7	SKOROHOD CONDO BASE ACCOUNT	No Site Address		X			X
8	Skorohod, George and Carolene V	2829 N 33 St B, Lincoln, NE 68504		X		X	
9	Kim Cafferty	2829 N 33rd St, Lincoln, NE 68504		X			X
10	Skorohod, George and Carolene V	2829 N 33rd St C, Lincoln, NE 68504		X		X	
11	Al-Abouady, Ahmed	3305 Cornhusker Hwy, Lincoln, NE 68504		X			X
12	Al-Abouady, Ahmed	2930 Cornhusker Hwy, Lincoln, NE 68504		X			X
13	Al-Abouady, Ahmed	3441 Adams St, Lincoln, NE 68504		X			X
14	BNSF	No Site Address			Railroad		X
15	Galanter Family (Lot)	2904 Cornhusker Hwy, Lincoln, NE 68504		X			X
16	M&E Investments LLC	2820 Cornhusker Hwy, Lincoln, NE 68504		X			X
17	City of Lincoln	No Site Address			City of Lincoln		X
18	Lower Platte South NRD	No Site Address			NRD		X
19	Northgate Park Inc	2920 Cornhusker Hwy, Lincoln, NE 68504		X			X
20	Don Meinke	2940 Cornhusker Hwy, Lincoln, NE 68504		X			X
21	B&J Partnership LTD	3010 Cornhusker Hwy, Lincoln, NE 68504		X			X
22	Western Auto Supply Company	3100 Cornhusker Hwy, Lincoln, NE 68504		X			X
23	Cichoracki, David J	3130 Cornhusker Hwy, Lincoln, NE 68504		X			X
24	Tomlinson Daniel LLC	3210 Cornhusker Hwy, Lincoln, NE 68504		X			X
25	Whitehead Oil Co	3244 Cornhusker Hwy, Lincoln, NE 68504		X			X
27	T&S Real Estate LLC	3030 N 33rd St, Lincoln, NE 68504		X			X
31	McKinnis Properties	3400 Cornhusker Hwy, Lincoln, NE 68504		X			X
32	Norjon LLC	3450 Cornhusker Hwy, Lincoln, NE 68504		X			X
34	CDJ Johnson Family LTD PTNSP	3500 Cornhusker Hwy, Lincoln, NE 68504		X			X
35	Patel, Atulkumar T & Shobhanaben R	3510 Cornhusker Hwy, Lincoln, NE 68504		X			X
36	Brenden Family Trust	3520 Cornhusker Hwy, Lincoln, NE 68504		X			X
37	Double Allen LLC	3630 Cornhusker Hwy, Lincoln, NE 68504		X			X
38	Center Court LLC	3710 Cornhusker Hwy, Lincoln, NE 68504	X				X
39	Metzger's Auto Service Inc	3730 Cornhusker Hwy, Lincoln, NE 68504		X			X
40	Albusharif, Mustafa S	3750 Cornhusker Hwy, Lincoln, NE 68504		X			
63	City of Lincoln	3200 Baldwin Ave, Lincoln, NE 68504			City of Lincoln		X
64	Skorohod, George, & Carolene V	2705 N 33rd St, Lincoln, NE 68504		X		X	
66	O'Keefe Elevator Company Inc	2747 N 33rd St, Lincoln, NE 68504		X		X	
67	RPB Inc	2547 N 33rd St, Lincoln, NE 68504		X			X
68	RPB Inc	2525 N 33rd St, Lincoln, NE 68504		X			X
69	Hemminging, Gerald & Carlene	2505 N 33rd St, Lincoln, NE 68504		X			X
70	Thieman & Kettelhut Enterprises LLC	3250 Huntington Ave, Lincoln, NE 68504		X			X
71	Malousek, Robert & Roxane	2435 N 33rd St, Lincoln, NE 68503		X		X	
72	Coleman Investments	2415 N 33rd St, Lincoln, NE 68503		X			X
73	Omaha, Lincoln, & Beatrice RR Co	2405 N 33rd St, Lincoln, NE 68503		X			X
74	Omaha, Lincoln, & Beatrice RR Co	No Site Address		X			
77	Board of Regents Univ of NEBR	No Site Address			University of Nebraska		X
78	CRO LLC	3300 Huntington Ave, Lincoln, NE 68504	X				X
79	Lower Platte South Natural Resources District	No Site Address			NRD		X
81	Board of Regents Univ of NEBR	3439 Baldwin Ave, Lincoln, NE			University of Nebraska		
82	Board of Regents Univ of NEBR	No Site Address			University of Nebraska		X
83	Lower Platte South Natural Resources District	No Site Address			NRD		X
93	City of Lincoln	No Site Address			City of Lincoln	X	
94	City of Lincoln	No Site Address			City of Lincoln	X	
95	City of Lincoln	No Site Address			City of Lincoln		X
96	City of Lincoln	No Site Address			City of Lincoln		X
97	City of Lincoln	No Site Address			City of Lincoln		
98	City of Lincoln	No Site Address			City of Lincoln	X	
99	Wend, Martin J	3309 Saint Paul Ave, Lincoln, NE 68504	X			X	
100	Strayer, Harold M & Shirley M	3317 Saint Paul Ave, Lincoln, NE 68504	X				X
101	Contreras, Jorge V	3323 Saint Paul Ave, Lincoln, NE 68504	X				
109	City of Lincoln	3304 Saint Paul Ave, Lincoln, NE 68504			Park		X
110	Watts, Gregory W	3310 Saint Paul Ave, Lincoln, NE 68504	X				X
111	Schmersal, Amber J	3320 Saint Paul Ave, Lincoln, NE 68504	X				
113	City of Lincoln	No Site Address			Park		X
114	City of Lincoln	2730 N 33rd St, Lincoln, NE 68504			Park		
115	City of Lincoln	No Site Address			Park		
117	Fraleigh, Kenneth E & Jacqueline	3304 Madison Ave, Lincoln, NE 68504		X		X	
119	Frohner, Brent	3310 Madison Ave, Lincoln, NE 68504	X			X	
161	City of Lincoln	No Site Address			Park		X
162	CL Development LLC	3415 N 44 St, Lincoln, NE 68504		X			
163	Cheever Construction Company	3425 N 44 St, Lincoln, NE 68504		X			X
167	CCME LLC	3500 N 44 St, Lincoln, NE 68504		X			X
168	Snyder Industries Inc	4700 Fremont St, Lincoln, NE 68504		X			X
169	Snyder Industries Inc	3565 N 48 St, Lincoln, NE		X			X
170	Olderbak Enterprises North LLC	3545 N 48 St, Lincoln, NE 68504	X				X
173	Claws LLC	4630 Hartley St, Lincoln, NE 68504		X			X
174	CCME LLC	3550 N 44 St, Lincoln, NE 68504		X			X
176	Norma Jane LLC	4400 Cornhusker Hwy, Lincoln, NE 68504		X			X
198	Jean Frazer	3316 Madison Ave, Lincoln, NE 68504		X			X
199	Richard & Nadine Hain	3333 Cleveland Ave, Lincoln, NE 68504		X		X	
201	Watts Commercial Properties LLC	3320 Cleveland Ave, Lincoln, NE 68504		X		X	
202	Watts Commercial Properties LLC	3520 Cleveland Ave, Lincoln, NE 68504		X			X
203	Lincoln Plumbers and Steamfitters	2945 N 35 St, Lincoln, NE 68504		X			X
204	Precision Machine Co Inc	2933 N 36th St, Lincoln, NE 68504		X			
205	Le, Tommy & Nguyen, Lisa	3625 Adams St, Lincoln, NE 68504		X		X	
206	Bolz, Richard L and Susan J	2936 N 36th St, Lincoln, NE 68504		X			X
207	Hobson, Richard	3645 Adams St, Lincoln, NE 68504		X			X
208	Tomka, Jim	3701 Adams St, Lincoln, NE 68504		X			X
209	Hicks, Daniel W & Jennifer A	3711 Adams St, Lincoln, NE 68504		X			X
210	Rivers, Darryl E Nonmarital Trust	3733 Adams St, Lincoln, NE 68504		X			
211	KALK RENTALS LLC	3425 CLEVELAND AVE, Lincoln, NE 68504		X			
212	Baldwin Properties LLC Attn: Randy G Baldwin, Manager	2851 N 35th St, Lincoln, NE 68504		X			
227	Novak, Lauri A & Nelson, Douglas D & Aksel K	2801 N 33rd Street, Lincoln, NE 68504		X		X	



**Project No: LCLC-5233(4), CN 13294**  
**33<sup>rd</sup>/Cornhusker Viaduct, Lincoln**  
**RTSD B.U. No 5919 City Project No. 702614**

Consulting Parties:

Arapaho Tribe of the Wind River Reservation, Wyoming

Cheyenne and Arapaho Tribes, Oklahoma

City of Lincoln Certified Local Government

City of Lincoln, Parks and Recreation

Iowa Tribe of Kansas and Nebraska

National Park Service

Nebraska Game and Parks Commission

Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana

Oglala Sioux Tribe

Omaha Tribe of Nebraska

Otoe-Missouria Tribe of Indians, Oklahoma

Pawnee Nation of Oklahoma

Ponca Tribe of Nebraska

Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota

Sac & Fox Nation of Missouri in Kansas and Nebraska

Standing Rock Sioux Tribe of North & South Dakota

Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

Winnebago Tribe of Nebraska

Yankton Sioux Tribe of South Dakota



Enclosure 3, Section 106 Supplemental Evaluation

Project No: LCLC-5233(4), CN 13294  
33rd/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614

Section 106 Supplemental Evaluation

Land and Water Conservation Act  
Section 6f: Proposed Mitigation

**Section 106 Supplemental PQS Memo**

---

**To:** Dillon Dittmer, Environmental Protection Specialist, FHWA  
**From:** Stacy Stupka, Section 106 Specialist, NDOT  
**cc:** Christina Bavougian, Environmental Project Manager, NDOT  
**Date:** February 1, 2023  
**Re:** Expanded APE

**CN 13247\_ 33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614\***

\*Please note that FHWA is the lead Federal agency regarding this undertaking

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Mitigation under Section 6f is required relative to impacts to the existing city park at 34<sup>th</sup> and Madison. The mitigation site is depicted in Enclosure 1. The proposed 6f mitigation site is located outside the area of potential effects (APE) previously considered; therefore, the APE has been expanded to encompass the proposed mitigation site (Enclosure 1). At this location, the City of Lincoln plans to develop their standard neighborhood park, including playground, play court, connecting walkways, picnic shelter, open play field and landscaping.

**Expanded Area of Potential Effects (APE)**

The expanded APE corresponds to those parcels selected to complete Section 6f mitigation (Enclosure 1). Vertical APE involves soils at or near the ground surface but extends to 2 feet to accommodate installation of playground structure and 10 feet to accommodate construction of a picnic shelter.

**Archeological Evaluation**

Highway Archeologist Jen Banks conducted an archeological evaluation in January 2023. A review of the Nebraska State Historical Society Cultural Resources Geographic Information System (NCRGIS) archeological resources database and historic maps indicates that there are no previously recorded archeological sites in the expanded APE. After evaluation, Banks determined that no archeological fieldwork was required because the entirety of the expanded APE has been previously disturbed by construction activities/grading unrelated to the current undertaking. The potential for intact and significant archeological deposits is quite low. No NRHP significant archeological sites were identified within the APE (Enclosure 2).

**Architectural/Structural Evaluation**

Architectural Historian Melissa Dirr Gengler with Historic Resource Group, Inc (HRG) completed an evaluation of the expanded APE in January 2023. Gengler notes that these parcels have been graded in preparation for a new housing development and confirmed that there are no architectural or structural resources within the expanded APE (Enclosure 3).

No historic properties were identified within the expanded APE. NDOT recommends that construction of the proposed Section 6f mitigation site will have no effect on historic properties.

Your office concurred with an effects finding of no *historic properties affected* on November 16, 2023 (Enclosure 4) and with this supplemental evaluation, NDOT recommends that the project effects determination remains *no historic properties affected*.





- Legend
- ☐ Address Labels

☐ Parcels\_Street

☒ Expanded Area of Potential Effects







# State Archeology Office

## Project Survey Summary

Control Number: 13294

Project Number: LCLC - 5233(4)

Project Name: 33rd Cornhusker Viaduct, Lincoln [EXPANDED APE REVIEW]

County: Lancaster

Nearest Water: drainage into Salt Creek

**Legal Description:**

The project is located in the NE 1/4 NW 1/4 SE 1/4 of Section 30 T9N, R7E.

**APE Description (Add Maps):**

Expanded APE Narrative:

The expanded APE corresponds to those parcels selected to complete Section 6f mitigation. Vertical APE involves soils at or near the ground surface but extends to 2 feet to accommodate installation of playground structure and 10 feet to accommodate construction of a picnic shelter.

**Maps Used:**

USGS 7.5' topographic map (Roca 2021); ESRI Aerial Imagery Base map 2022, GLO Maps, Project Maps

**Project Character (Attach Project Description):**

Development of neighborhood park (including playground, play court, connecting walkways, picnic shelter, open play field and landscaping).

Project Length/Area: 2.6 acres

Survey Length/Area: N/A

Date(s) of Archeological Survey: N/A

Detour? ☒ No ☐ Yes, without Constr. Activities ☐ Yes, w/ Constr. Activities

Name(s) of Survey Personnel: N/A

Person-Hours of Fieldwork: N/A

**Ground Cover (%-Visibility)**

N/A

**Survey Interval/Provisions:**

N/A

**Rationale for Non-surveyed Areas:**

The entirety of the project area has been previously disturbed/modified by previous construction (including grading) for the construction of a new housing development. The potential for intact and significant archeological deposits is low and did not require archeological survey.

**Results of Survey:**☒ No Archeological Resources Discovered☐ Site(s) Discovered Site Numbers: \_\_\_\_\_☐ Other (explain) \_\_\_\_\_**Project Effect Determination for Archeology**☒ No Historic Properties Affected: ☒ None Present ☐ Present but Not Affected☐ No Adverse Effect☐ Adverse EffectAre Further Archeological Investigations Warranted? ☐ Yes ☒ NoIs THPO Consultation Recommended by Sponsor Agency? ☐ Yes ☒ No List Tribes:

Stipulations/Exceptions to Survey Results: Evaluate Buried Cultural Remains if Encountered.

**Comments:**

Prepared by: Jennifer Banks

Date: 1/3/2023

**Control Number:** 13294

**Project Number:** LCLC - 5233(4)

This is a review of the expanded APE for the development of a neighborhood park for the 33rd Cornhusker Viaduct, Lincoln project (CN 13294, Project Number LCLC - 5233(4). This review only covers the expanded APE (please see project map and project description documents for more information).

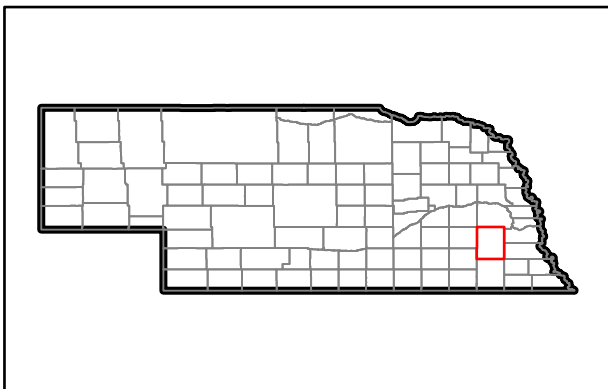
An archeological evaluation was conducted by History Nebraska Highway Archeologist Jennifer Banks in December 2022 for the expanded portion of the APE. A review of the Nebraska Cultural Resources Geographic Information System (NCRGIS) database and historic maps indicate that no archeological sites have been previously identified in the newly expanded APE. Due to the extensive disturbance from urban development/previous construction activity for the incoming housing development, there is a low potential for significant intact archeological resources. No further field investigation is recommended.

There are no archeological historic properties in the expanded APE.




**Attachments**

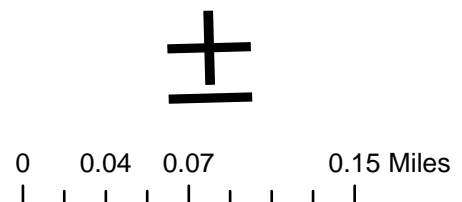
Detailed Aerial and Topographic Project maps with APE

**CN 13294; 33rd Cornhusker Viaduct, Lincoln**  
**[Expanded APE Review]**  
**Project No. LCLC - 5233(4)**

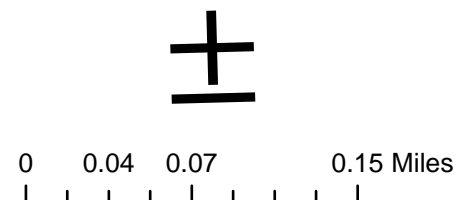
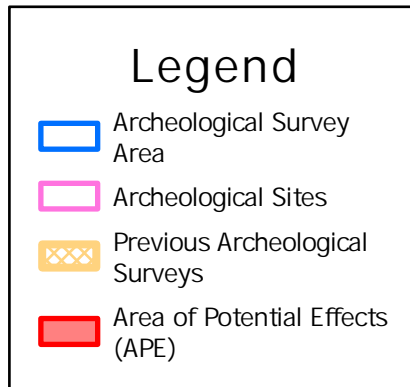
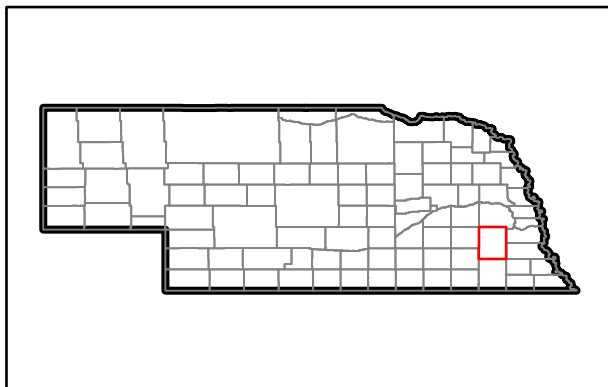
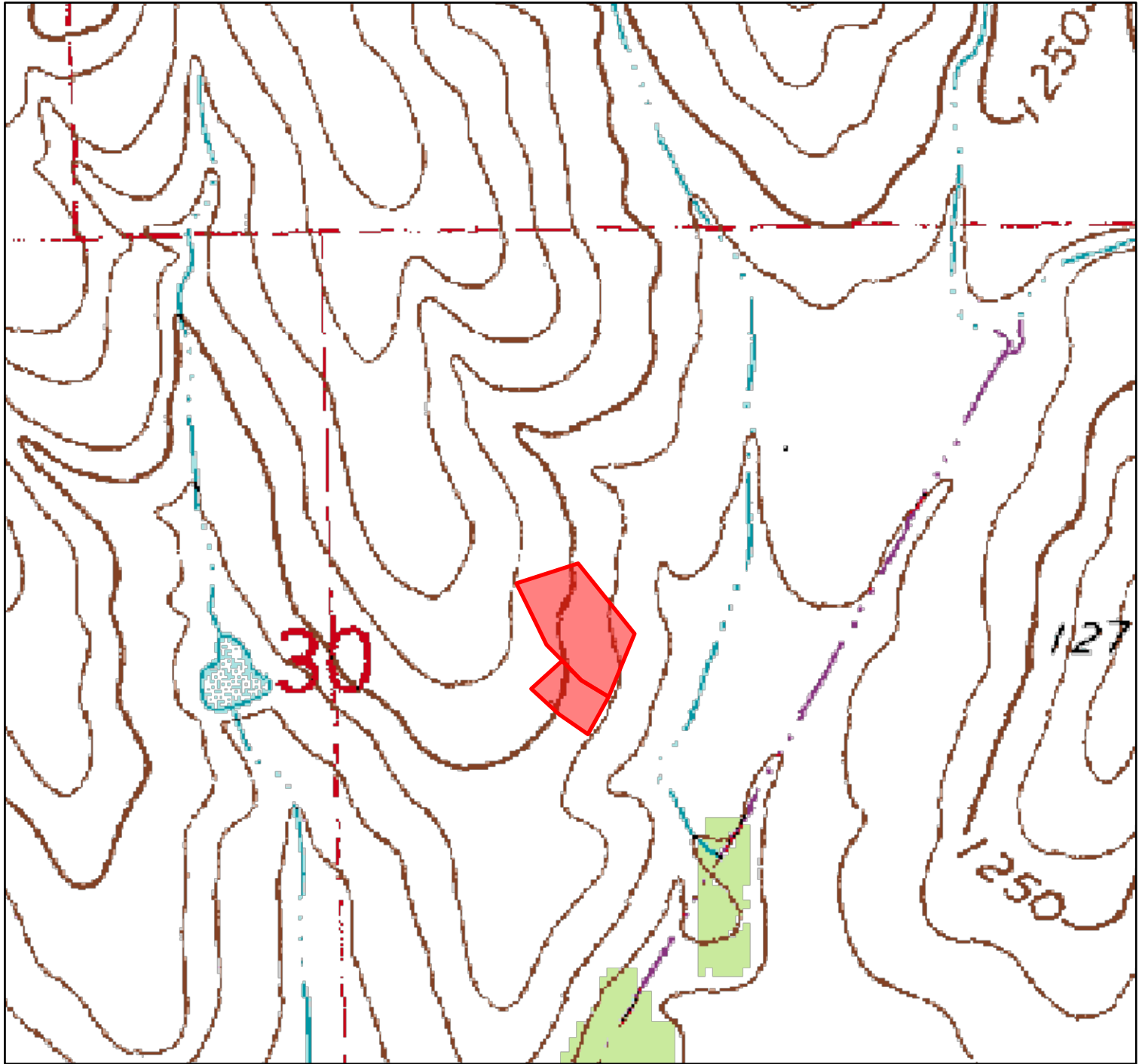


**Legend**

-  Archeological Survey Area
-  Archeological Sites
-  Previous Archeological Surveys
-  Area of Potential Effects (APE)



**CN 13294; 33rd Cornhusker Viaduct, Lincoln**  
**[Expanded APE Review]**  
**Project No. LCLC - 5233(4)**







DATE: January 3, 2023

TO: Stacy Stupka, NDOT

RE: 33<sup>rd</sup> & Cornhusker (Wilderness Hills)  
Supplemental standing structures information  
LCLC-5233(4)  
CN 13294

FROM: Melissa Dirr Gengler, Historic Resources Group, Inc.

---

This supplemental evaluation addresses standing structures within the area identified in the attached APE map. After initial evaluation was completed for historic properties, an additional parcel was added to the project to mitigate some impacts to a city park. The attached expanded APE map for the proposed 6f replacement property has been approved by FHWA as documented in their December 20, 2022 email to NDOT.

The parcels are located near 40<sup>th</sup> and Rokeby Road in Lancaster County. The expanded APE corresponds to those parcels selected to complete Section 6f mitigation. The APE includes the city's plan to develop a standard neighborhood park, including playground, play court, connecting walkways, picnic shelter, open play field, and landscaping.

These parcels have been graded in preparation for a new housing development. HRG evaluation of this supplemental APE identified that there are no standing structures within the area. Surrounding land has been graded for new residential construction.

There are no historic properties within the supplemental review area and as such there will be no effect on historic properties within this APE.



Legend

Address Labels

Parcels\_Street

Expanded Area of Potential Effects





## Section 106 Supplemental Evaluation, Enclosure 4.

**From:** [Dittmer, Dillon \(FHWA\)](#)  
**To:** [Stupka, Stacy](#)  
**Subject:** RE: LCLC-5233(4), CN 13294\_33rd/Cornhusker Viaduct, Lincoln - Cultural Resources Report and Consultation letters  
**Date:** Wednesday, November 16, 2022 7:14:17 AM

---

Good morning Stacy,

Thank you for the research summary regarding the brick mural below. I concur with your findings and will look for the re-submitted report w/ updated project description. Once received, I will distribute to the originally provided contact list.

Regarding project consultation, I will continue to seek your professional support to ensure Section 106 compliance for the project. Do you have additional consultation efforts in mind that I can help with? It would be great to get your thoughts!

Thank you,  
DD

---

**From:** Stupka, Stacy <stacy.stupka@nebraska.gov>  
**Sent:** Monday, November 14, 2022 1:28 PM  
**To:** Dittmer, Dillon (FHWA) <dillon.dittmer@dot.gov>  
**Subject:** RE: LCLC-5233(4), CN 13294\_33rd/Cornhusker Viaduct, Lincoln - Cultural Resources Report and Consultation letters

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dillon,

Re: the project description, it does appear that it is a formatting issue that has now been corrected.

Melissa Dirr Gengler with Historic Resources Group (HRG) has completed additional research regarding your question about the brick mural:

In terms of the brick mural, it appears to be in the style of Denton artist Jay Tschetter, who is known for doing these textural brick sculptures across Lincoln and in many other large installations ([www.imagesinbrick.com](http://www.imagesinbrick.com)). Though I have not found the exact construction date of this mural (newspaper research), it appears clear that this is what it is. Tschetter started in the late 1980s and most of his murals date from the 2000s onward. My opinion is that this is a notable form of art from a local artist, but that it is not historic and art installations are typically not evaluated as parts of a building.

A similar example is a ghost sign from an old business on a historic building in Omaha where the building is listed and the ghost sign is part of its character, but not a specific feature in and of itself.

As, since Melissa indicates, such features are typically not evaluated as parts of a building, I recommend that no additional edits are required relative your request for more information.



Upon receiving your approval, NDOT is ready to resubmit the cultural resources report to FHWA. I fear that I am somewhat confused as to whether FHWA wants NDOT to complete all consultation for this Tier II project or if FHWA would like to complete the consultation.

Please advise.

Thank you for your time,

Stacy

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**From:** Dittmer, Dillon (FHWA) <[dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)>

**Sent:** Thursday, October 27, 2022 2:51 PM

**To:** Stupka, Stacy <[stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)>

**Subject:** RE: LCLC-5233(4), CN 13294\_33rd/Cornhusker Viaduct, Lincoln - Cultural Resources Report and Consultation letters

Hey Stacy,

In review of this submittal, I have minor comments regarding the Project Description (looks like a formatting issue); reg citing; and one property that I'd like to get a little more detail on. If it's easier to call and chat about the property I have a questioned (2960 N 38<sup>th</sup> Street), I'd enjoy talking with you. I have availability this afternoon, tomorrow morning/early afternoon, and again Monday (10/31).

Please update the Report and associated Key Letter (same edits needed here) with the changes in the PD and send back my way for distribution.

Thank you,

**Dillon Dittmer, PWS**

Environmental Protection Specialist

Federal Highway Administration

o: 402-742-8465

---

**From:** Stupka, Stacy <[stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)>

**Sent:** Tuesday, October 11, 2022 12:03 PM

**To:** Dittmer, Dillon (FHWA) <[dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)>; pjinfne (FHWA) <[pjinfne@dot.gov](mailto:pjinfne@dot.gov)>

**Cc:** Maiefski, Melissa (FHWA) <[melissa.maiefski@dot.gov](mailto:melissa.maiefski@dot.gov)>; Bavougian, Christina <[christina.bavougian@nebraska.gov](mailto:christina.bavougian@nebraska.gov)>; Turner, Katie <[katie.turner@nebraska.gov](mailto:katie.turner@nebraska.gov)>; Jurgens, Jason <[Jason.Jurgens@nebraska.gov](mailto:Jason.Jurgens@nebraska.gov)>; Hartman, Jeff <[jeff.hartman@nebraska.gov](mailto:jeff.hartman@nebraska.gov)>

**Subject:** LCLC-5233(4), CN 13294\_33rd/Cornhusker Viaduct, Lincoln - Cultural Resources Report and Consultation letters

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do

not click on links or open attachments unless you recognize the sender and know the content is safe.

Dillon,

For your review and approval, please find attached the Cultural Resources Report completed by Historic Resources Group (HRG) in support of the project referenced above. I have reviewed this document and agree with the NRHP eligibility recommendations and the project effects determination of *no historic properties affected*.

As you are aware, this project is an Environmental Assessment and therefore, FHWA is the lead federal agency. Also attached are draft consultation letters for those tribes who have expressed an interest in projects located in Lancaster County based up consultation your office completed in support of the draft Section 106 PA. I have also attached the database which I think will make it easier if you have to rerun the mail merge. I If you make edits on the "key document" you would then rerun the mail merge to update all of the letters (which you'll have to do to get them on FHWA letterhead). I hope by sending you the database, that the connection to it is maintained. If not, I think we'll have to build these mail merges in a folder in sharefile so the link is maintained.

Regarding using mail merge, I find this website helpful <https://www.ablebits.com/office-addins-blog/mail-merge-excel-word/>

Perhaps we may want to consider either 1) giving NDOT access to FHWA letterhead so you wouldn't necessarily have to rerun the mail merge; or 2) NDOT could send over only the "key document". We can discuss how to make this easiest for all.

Please let me know if you have any questions, thanks!

Stacy

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
NEBRASKA DEPARTMENT OF TRANSPORTATION  
1500 Highway 2 | Lincoln, NE | 68509  
402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
she/her/hers

## FHWA concurrence regarding Section 106 Supplemental Evaluation

**From:** [Dittmer, Dillon \(FHWA\)](#)  
**To:** [Stupka, Stacy](#)  
**Cc:** [Bavougian, Christina](#); [Hartman, Jeff](#); [Jurgens, Jason](#); [luther, justin](#)  
**Subject:** RE: CN 13294\_LCLC-5233(4)\_33rd Cornhusker Viaduct, Lincoln - request review of Section 106 Supplemental Evaluation  
**Date:** Friday, February 3, 2023 1:50:43 PM

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Hi Stacy,

I have reviewed the provided Section 106 Supplemental Evaluation memo regarding the proposed Section 6f mitigation site for the referenced project.

I concur that the project effects determination of *no historic properties affected* remains appropriate.

Thank you,

**Dillon Dittmer, PWS**

Environmental Protection Specialist  
Federal Highway Administration  
o: 402-742-8465

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**From:** Stupka, Stacy <stacy.stupka@nebraska.gov>  
**Sent:** Wednesday, February 1, 2023 12:14 PM  
**To:** Dittmer, Dillon (FHWA) <dillon.dittmer@dot.gov>  
**Cc:** Bavougian, Christina <christina.bavougian@nebraska.gov>; pjinfne (FHWA) <pjinfne@dot.gov>; Hartman, Jeff <jeff.hartman@nebraska.gov>; Jurgens, Jason <Jason.Jurgens@nebraska.gov>  
**Subject:** CN 13294\_LCLC-5233(4)\_33rd Cornhusker Viaduct, Lincoln - request review of Section 106 Supplemental Evaluation

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dillon,

For your review and concurrence, please find attached a Section 106 Supplemental Evaluation memo regarding the proposed Section 6f mitigation site for the project referenced above. FHWA is the lead Federal agency regarding this undertaking.

No historic properties were identified in the expanded APE, therefore, the project effects determination of *no historic properties affected* remains appropriate. Your office concurred with this project effects finding on 11/16/2022.

As we have discussed, upon your concurrence, this Supplemental Evaluation will become an appendix to the HRG report you have previously reviewed and concurred upon. Then, on behalf of FHWA, NDOT will complete consultation with the FHWA approved consulting parties per stipulations of our statewide programmatic agreement.



Please don't hesitate to let me know if you have any questions,  
Stacy

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
NEBRASKA DEPARTMENT OF TRANSPORTATION  
1500 Nebraska Parkway | Lincoln, NE | 68509-4759  
402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
she/her/hers

**North 33<sup>rd</sup> Street and Cornhusker Highway**  
**Historic Property Identification and Evaluation**  
**RTSD B.U. No 5919**  
**City Project No. 702614**  
**NDOT CN 13294**

Section 106 Historic Property Identification  
And Evaluation of Project Effects

Prepared by:  
Historic Resources Group, Inc.



For:



March 2022

## ***Introduction***

This report has been prepared to meet the requirements of historic property identification and evaluation under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Report findings address the project in the area of North 33<sup>rd</sup> Street and Cornhusker Highway in Lincoln, Nebraska where the Burlington Northern Santa Fe (BNSF) railway currently carries heavy train traffic daily on the double-track mainline, resulting in hours daily that each of the three at-grade railroad crossings is blocked to vehicular traffic. The three crossings are located at North 33<sup>rd</sup> and Cornhusker Highway, North 35<sup>th</sup> and Adams Streets, and at North 44<sup>th</sup> Street and Cornhusker Highway. The Railroad Transportation Safety District (RTSD) has completed a Planning and Environmental Linkages Study (PEL) which provided a broad overview of environmental constraints and potential transportation improvements. Direction from the PEL is being incorporated into an Environmental Assessment (EA) which is being prepared by Olsson to evaluate a new grade separation (viaduct) over the BNSF railroad tracks at North 33<sup>rd</sup> Street. Olsson retained Historic Resources Group, Inc. (HRG) to conduct field survey of above ground resources within the area surrounding the project. HRG is a federally certified woman owned small business and authors of this report meet the Secretary of the Interior's Professional Standards in architectural history, history, and archeology. This report will identify historic above ground resources, make National Register eligibility recommendations for those properties, and identify archeological resources within the project area of potential effects. **Figure 1** identifies the project location. To protect property locations, archeological resources are discussed in **Attachment A** to this document.

## ***Project Description***

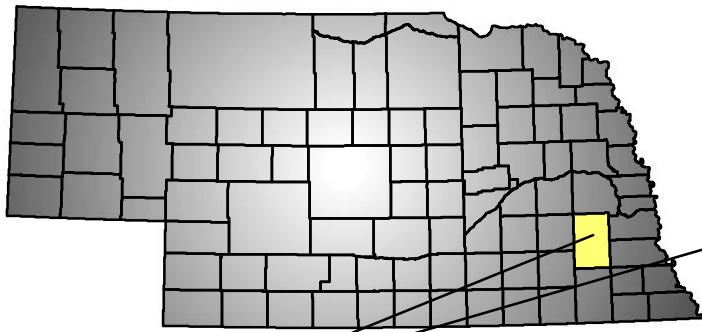
The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a re-aligned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd

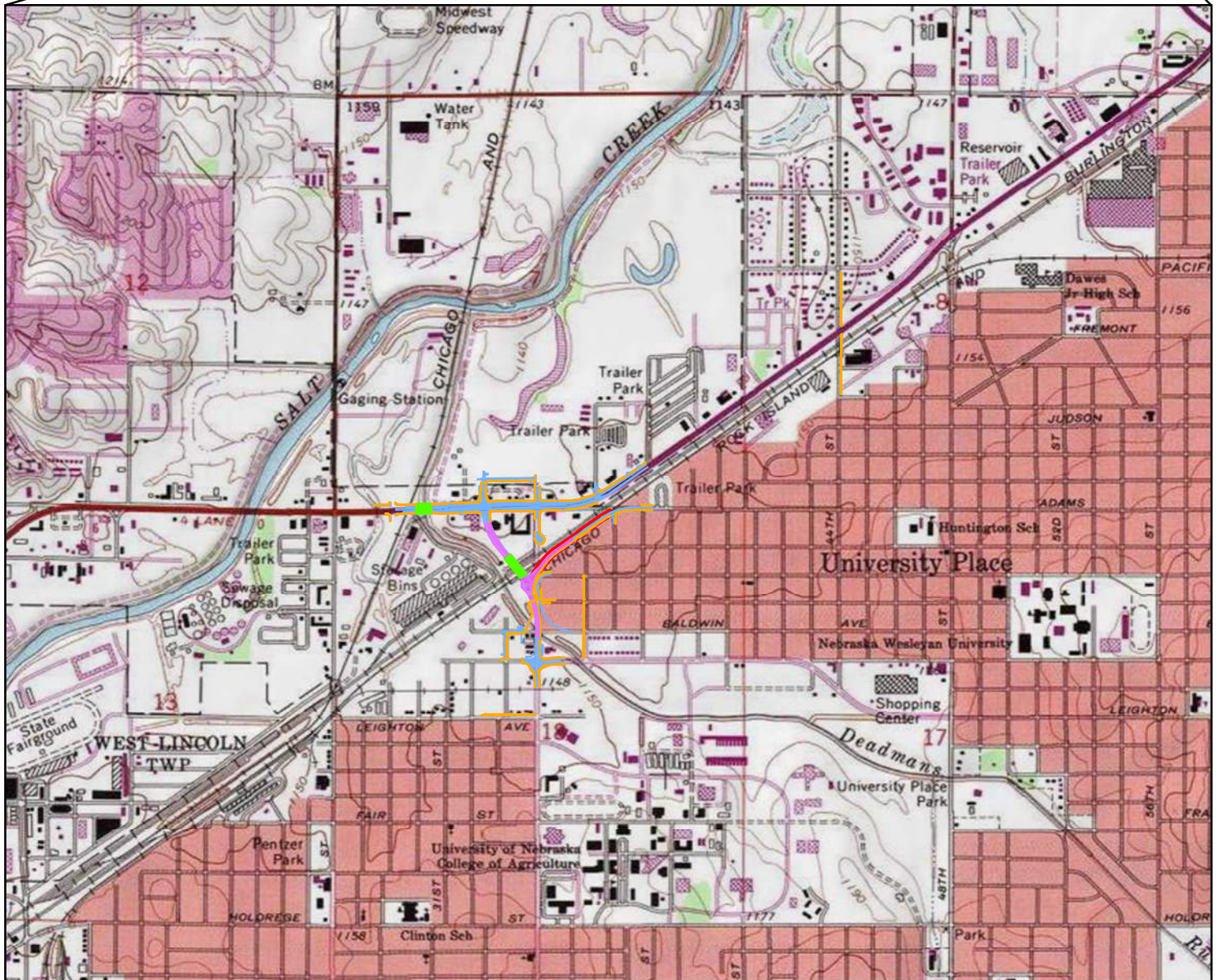
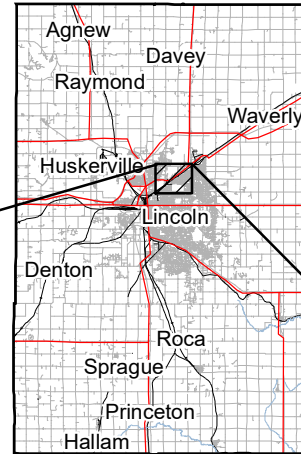


# NEBRASKA

# LANCASTER COUNTY



Project Location

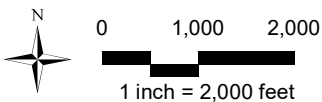


## Legend

- Project Centerline
- Sidewalk Construction
- Roadway/Driveway Construction
- Retaining Wall Construction
- Bridge Construction

## 33rd & Cornhusker

Lincoln, Nebraska  
Olsson Project No. 017-3604-A  
**Location Map**  
Figure 1





Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near

#### *Fleming Fields and Huntington Avenue.*

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.

- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and

#### *Cornhusker and N. 35th Street and Cornhusker Highway*

The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### *Area of Potential Effect*

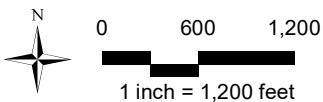
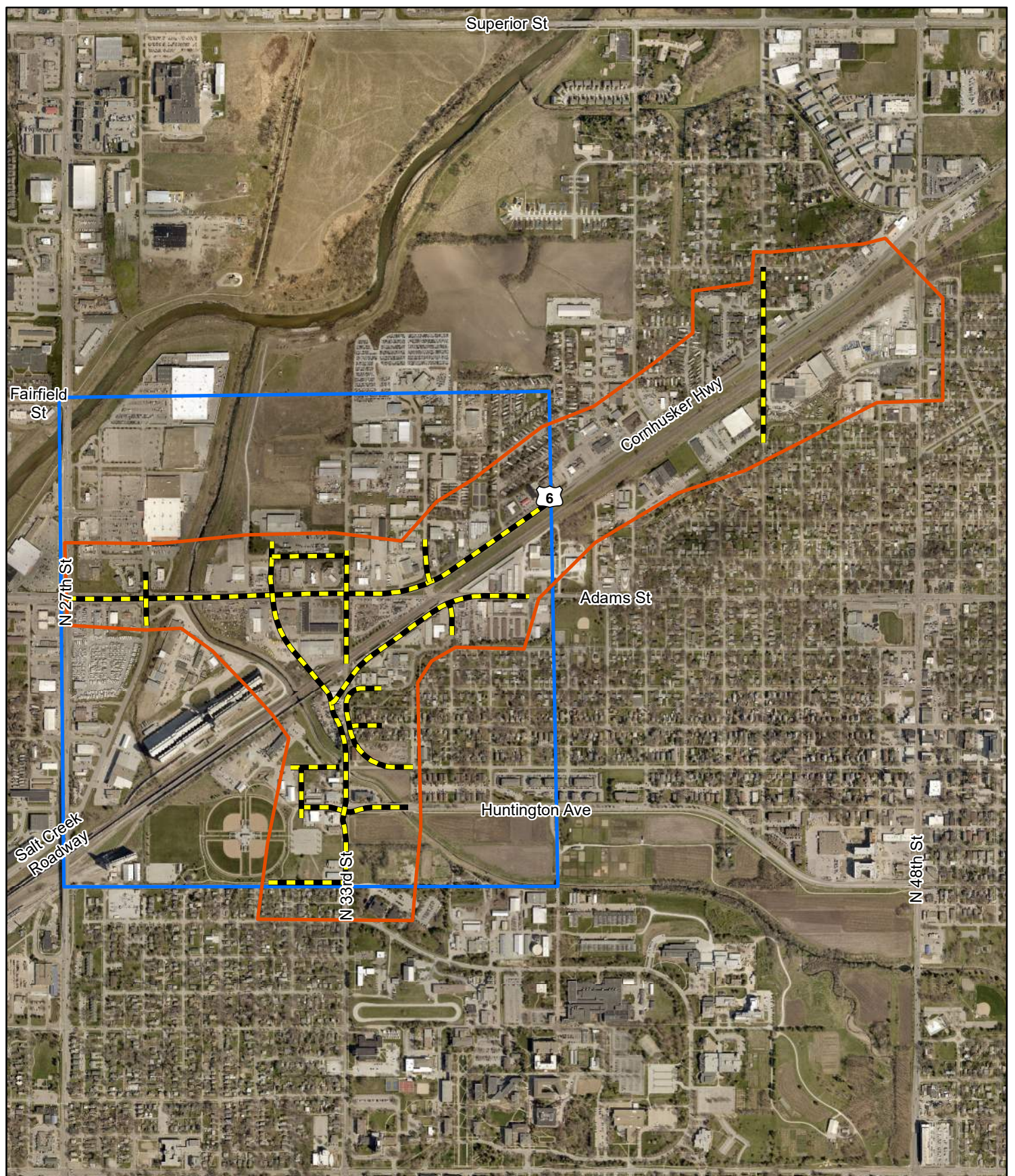
The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33<sup>rd</sup> Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27<sup>th</sup> Street to approximately North 48<sup>th</sup> Street. Here the APE crosses the highway, and returns south/southwest toward North 27<sup>th</sup> Street. An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27<sup>th</sup> to just west of North 39<sup>th</sup> on the east, and Leighton to the south to approximately Fremont Street to the north. This additional APE will aid in the assessment and evaluation of the viewshed impact of the elevated surface of the overpass on historic properties. Although not yet fully designed this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track. The project map at **Figure 2** identifies the APE for this undertaking. This report will incorporate all standing structures within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.




### *Methodology*

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the NeSHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other





-  Preferred Alternative
-  APE Boundary
-  Visual APE Boundary

**33rd & Cornhusker**  
Lincoln, Nebraska  
Project No. 017-3604-A  
**APE Boundary Map**

Figure 2





published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included. This history will contribute to recommendations of NRHP eligibility for surveyed properties, as it will create a framework to understand the development of the built environment. Following identification of previously documented standing structures from existing survey files at both the City of Lincoln and the NeSHPO and conducting contextual research, the field survey was conducted.

#### *National Register Criteria for Evaluation*

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in *National Register Bulletin How to Apply the National Register Criteria for Evaluation*. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

#### *Field Survey*

Field survey will document all standing structures within the APE that are approximately 45 years old or older. Field survey will follow guidelines set forth in the following documents:

- NeSHPO Section 106 Guidelines for Archeology
- Nebraska Historic Resource and Inventory Survey Manual, 2010 Edition
- NDOT NHPA Section 106 Guidelines
- The Section 106 Programmatic Agreement, as amended, between FHWA, NeSHPO, Advisory Council on Historic Preservation (ACHP), and NDOT to Satisfy the Requirements of Section 106 for the Federal-Aid Highway Program in The State of Nebraska.

Each of these documents identify preferred means and methods of field survey and historic property identification. All properties within the APE will be assessed to identify above ground

resources that are approximately 45 years old or older. Each of these properties will then be evaluated for their physical integrity. If a property meets the age standard and possesses physical integrity, it will be included in the survey. Once all properties have been identified, recommendations for NRHP eligibility will be made. Incorporating as many potentially historic properties as possible through the survey will contribute to building a context of the built environment within the APE and assist with thoughtful and thorough recommendations. Historic properties may include buildings, structures, sites, objects, landscapes, parks, and transportation related resources. Groups of buildings may be considered and evaluated for potential historic districts as well. Buildings or properties associated by historic themes will also be considered. All properties within the APE that are 45 years old or older are included in an illustrated table attached at **Appendix A** to this report. For documentation purposes every standing structure within the APE was documented within this survey and included in the table but without a photograph.

Field Survey for this project was undertaken in November and December of 2019, with supplemental field photography in March 2020. An on-site analysis of each property was conducted to assess the existing condition, integrity, and significance of properties within the APE. Information gathered included identifying a style, property type, approximate construction date, as well as alterations, additions, and physical integrity issues. At that time all properties within the APE were digitally photographed and mapped.

Often some properties that are more than 50 years old are not included in a survey primarily due to extensive alterations that significantly diminish their historic integrity. These properties are not generally recorded because alterations have eliminated the significant qualities that may once have contributed to their integrity. Examples include properties with large additions to the main residence or alterations such as enclosed porches with new siding, and new windows. These types of cumulative alterations diminish integrity and detract from any qualities that may have been defining characteristics in eligibility evaluations. However, for documentation purposes, all properties that are 45 years old or older have been included in an illustrated table at Appendix A attached to this report. Other properties included in the survey meet the general age and integrity standards, and their eligibility for the NRHP is based on the local context. Evaluation of the resources took into consideration factors such as context, integrity, and comparative analysis.

In general, the information below for each specific property type was utilized to support the eligibility recommendations as part of the individual site survey forms in this report.

#### *Single Family Residences*

Generally, physical integrity standards are applied most rigorously to houses because houses outnumber all other property types in the built environment. The NeSHPO does not add individual houses to their survey inventory unless they possess some specific area of significance or represent

a historic context expressly identified as part of the purpose of a survey.<sup>1</sup> Residences with alterations such as modern siding like vinyl, steel, or PermaStone are not considered eligible or historic unless those siding materials are original to the building, or represent a significant historic alteration. Other alterations to residences that diminish their historic integrity include replaced windows, enclosed or altered porches, and additions. Sometimes additions and alterations to buildings have reached the 50-year age threshold themselves. However, these alterations must respect the historic integrity and intent of the original design, and not be incompatible with historic design features. An individual residence must retain significant architectural details or historical importance to support eligibility. In the case of isolated residences outside of a neighborhood or farm context, the property must retain a high degree of physical integrity or significance to be recommended eligible. It is important to note that cosmetic appearance and physical condition do not influence a property's historic integrity. Existing historic materials and surrounding context are evaluated independent of deferred maintenance. However, deferred maintenance can lead to a loss of physical integrity, if/when resource materials have been lost or are beyond repair.

Relative rarity because of age or property type is also a consideration for eligibility of single-family residences. Although generally not an issue in urban areas, specific construction methods such as sod or stone represent rare and fleeting property types, and a much broader interpretation of integrity may be applied to these properties. Urban settings, such as this survey area, may retain isolated resources that predate the commercial development of the area. In these cases, the potential for individual significance will be evaluated on a case by case basis. An example may include an early farmhouse where the associated land has been absorbed into the surrounding development. The residence may then have a larger setback and different architectural style than its neighbors because it predates the platting of the neighborhood.

Individual residences within this APE have also been evaluated for their potential to contribute to an historic district if one is present, as well as any thematic studies or contexts that may be appropriate.

### *Residential Historic Districts*

Groups of residences in appropriate settings are evaluated within their respective historical and physical context as an historic district. Because larger groups of buildings can speak to a greater area of significance and historic development, minor alterations to individual buildings that may be incompatible with the historic design intent may be overlooked, provided those alterations do not diminish the historic integrity of the property or its ability to contribute to the district. For

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<sup>1</sup> 2010 Survey Manual



example, an individual residence with non-historic siding, but with no additions or other alterations may still contribute to a district when it would most likely not be considered individually eligible.

Residences in the study area were evaluated both individually and as potential components of historic districts. In the case of historic districts minor alterations to the area as a whole are also tolerable provided the character defining features of the neighborhood are retained. Contextual considerations for evaluating residential historic districts include consistency in massing, configuration, landscape, setback and physical relation to other buildings. Identifying character defining features of a group of buildings, retention of historic integrity, and consistency throughout the area are the types of features that contribute to recognizing historic districts. For example, a late 19<sup>th</sup> century neighborhood with infill modern apartment buildings, mid-20<sup>th</sup> century residences, and commercial properties peppering the area most likely will not retain the character defining features that speak to the significance of the area. A district should be generally consistent in the types of residences, contain minimal modern infill, and retain a majority of buildings contributing to the district.

No residential historic districts were identified as part of this study.

#### *Commercial/Industrial Buildings*

Commercial buildings in the study area were evaluated both individually and as components of potential historic districts. Alterations to commercial buildings typically occur on the main first floor storefronts. Frequent changes through time, often with applied non-historic materials to accommodate new uses, are evaluated based on the size, scale, and configuration of the storefront. A storefront that retains the historic opening size and setbacks, such as recessed entrances with display windows, but has been replaced with new materials may not significantly diminish the buildings physical integrity. However, a storefront where the openings size and shape have been altered or in filled can significantly affect historic integrity.

The number of stories or building height and massing also contribute to evaluating eligibility and integrity in a commercial resource. For example, a significantly altered storefront on a one-story building consumes more surface area and percentage of historic material than a multi-story building with an altered storefront. The one-story building will have less ability to convey significance and therefore eligibility, than a multi-story building with the same altered storefront. Multiple story buildings have a higher potential to retain integrity simply due to the additional area where historic materials may be present. Multiple-story commercial buildings may tolerate and absorb storefront alterations to a degree but have additional considerations such as the configuration of fenestration. Opening size, materials of window units, space on the building, and configuration of historic units can contribute greatly to a building's historic integrity. Additional façade space generally provides more area for applied ornament and architectural design further

contributing to commercial resources significance and integrity. The cumulative effect of altered storefronts, replaced and/or reconfigured windows, as well as additions will diminish the historic integrity of a multiple story commercial building.

Industrial buildings and complexes have similar issues to commercial buildings. However, industrial complexes often have fewer windows and broader expanses of wall space to accommodate the active interior space. Open lots or broad setbacks are also associated with industrial complexes to provide storage space or outdoor workspace for the function of the property. Many industrial properties represent mass produced building types that were and remain ubiquitous to the built environment's landscape and therefore typically (though not always) retain significance in an area outside of their architecture or design. These buildings are most often constructed purely for the sake of function. As a result, physical integrity can be compromised due to additions and alterations to serve the purpose or address changing needs over time.

Commercial historic districts require similar evaluation techniques as residential districts. In general, similar property uses will contribute to the character defining features of a potential district. Dense urban areas of warehouses and industrial buildings defined by a grid road system or railroad tracks is an example. Groups of commercial or office buildings with support properties such as restaurants and small retail is another example. Groups of historic commercial buildings should generally retain material types (such as masonry or wood), size, scale, massing and continuity in the group. Collections of buildings punctuated by vacant lots, parking areas, modern road systems, and buildings that have been physically altered generally do not create a group cohesive enough to support an historic district. In this study area there are no small groups of historic buildings recommended eligible, and no cohesive groups of commercial buildings sufficient to express significance collectively were identified within the study area. No commercial historic districts are identified or recommended eligible as part of this study.

It is important to note that the physical integrity standards discussed above must be present along with accompanying historic significance. The mere presence of a property that meets the general age standard of this survey report, and that retains physical integrity does not by default result in a NRHP eligible property. Historic significance, partnered with physical integrity, and age must all be present for a property to be recommended NRHP eligible.

### ***Area History and Background Information***

#### ***Setting***

The project area is in northeast Lincoln, Nebraska. Cornhusker Highway forms a linear corridor that bisects the APE from a southwest to northeast direction and runs parallel to the railroad tracks. The project corridor is primarily commercial and industrial in nature with residential neighborhoods southeast and northwest of the highway. At the south end of the APE, the corridor

becomes solely commercial, populated with modern box stores, fast food restaurants, gas/service stations, and extensive surface parking. Also, at the southwest edge of the corridor, Deadmans Run watershed cuts through the APE. This watershed was the focus of an intensive US Army Corps of Engineers (Corps) flood control study that was completed in 2018.

### *Area History*

This project is located in Lincoln, the capital city of Nebraska. The city began as Lancaster in 1859 with a small group of settlers along the east bank of the Salt Creek in south Lincoln. Nebraska became a state in 1867 and the community of Lancaster was selected as the state capital. Like many other states, and counties within Nebraska, discord followed the selection of the capital location. In an attempt to shift it to Omaha, a legislator proposed the name change to Lincoln in the hope of generating controversy. The name change was granted, Lancaster became Lincoln, and planning for the state capital was underway in earnest with locations selected for important streets, parks, a state university and most importantly the capitol square. Important institutions were identified including schools, a county courthouse, market square, churches, historical society, libraries, and other fraternal and commercial enterprises to support the new state capital.<sup>2</sup>

Along with these early city planning efforts, incentives were advertised for the first railroad service provided to the city. The Burlington and Missouri River Railroad won the race with their arrival in 1870. They were followed by the Midland Pacific in 1871 and the Atchison and Nebraska in 1872. However, by the end of the 1870s and throughout the 1880s railroad companies including Union Pacific, Chicago and Northwestern, Missouri Pacific, and the Chicago, Rock Island and Pacific all had lines to Lincoln with the main train station located near the marketplace square, or today's Haymarket.<sup>3</sup>

### *University of Nebraska*

Despite economic ups and downs, Lincoln grew and retained its position as the second largest city in the state, behind Omaha. Much of the stability can be attributed to the state capital and the University of Nebraska. The University contributed to the growth, in part by attracting other smaller private colleges (as an alternative education) that developed their own satellite towns immediately adjacent to the city. These included the Nebraska Wesleyan University campus which opened in 1888 and its associated town of University Place that was eventually annexed into the city of Lincoln in 1926. Nebraska Christian University established their campus in 1890 and

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<sup>2</sup> Ed Zimmer. "Lincoln-Lancaster County" Virtual Nebraska, Nebraska...Our Towns. Accessed at [www.casde.unl.edu/history/counties/lancaster/lincoln](http://www.casde.unl.edu/history/counties/lancaster/lincoln) 29 December 2019

<sup>3</sup> Ibid.



Bethany Heights grew around it, until its annexation also in 1926. Union College opened its campus in 1891 and the town of College View followed until its annexation in 1929.

The colleges were not the only impetus for town development around Lincoln. Havelock was a company town organized around Burlington and Missouri River Railroad shops. It was incorporated in 1893 and annexed into Lincoln in 1930. Today, Havelock and University Place are both near the project study area of this undertaking.<sup>4</sup>

The University of Nebraska itself was an important factor to the stability of the community and contributed directly to growth through its own expansion. Chartered in 1869, the University grew quickly, first evidenced by the satellite Farm Campus east of town added in 1873. At the time, it was considered a great distance from the main city campus and consisted of a farmhouse with associated out buildings and land to serve the agricultural students at the University. By 1915 University administrators debated the benefits of consolidating the farm and main, but following a vote, retention of both campuses was supported, which signaled the first era of major growth at the Farm Campus. Chancellor Benjamin Andrews began developing the Farm Campus with the construction of large buff-colored brick buildings surrounding a central mall. This development took place close to the farm in the area of North 33<sup>rd</sup> and Holdrege Streets. What is referred to as East Campus today retained the rural feeling with its barns, livestock and test fields intact despite the new construction.<sup>5</sup> The name shift from the farm campus to East Campus happened during the 1960s, a time of massive growth for the university.

Lincoln's diverse economy included significant aviation industry with the establishment of the Lincoln Army Airfield in 1942. The Airfield supported military efforts during World War II by training aviation mechanics and processing 40,000 troopers for combat. It shifted its mission and was renamed the Lincoln Air Force Base in 1952 contributing to the Korean War and finally returning to a municipal airport in 1966.

### *Cornhusker Highway*

The corridor of Cornhusker Highway that is part of this project study area was historically associated with the Omaha-Lincoln-Denver (O-L-D) and later, the Detroit-Lincoln-Denver (D-L-D) Highway. Though a specific midwestern link, this highway was a component of a nationwide system connecting the east and west coasts from Boston to Los Angeles. In the early days of organized road development, most highways were named rather than numbered, and the popularity of the automobile forced a surge of the Good Roads Movement across the country.

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<sup>4</sup> Ibid.

<sup>5</sup> [www.unl.edu/about/history](http://www.unl.edu/about/history) accessed 29 December 2019

The Omaha-Denver Trans-Continental Route Association was established in May 1911 to envision a permanent route across the state and into Colorado. By 1920 several shorter highway routes were combined into a continuous highway from Detroit to Denver. The road was developed as part of the nationwide Good Roads Movement and through extensive advertising and commercial sponsorship from communities and businesses located along the route. To efficiently construct this highway, the organizing association connected segments of existing roads together, rather than building new corridors. In the eastern part of Nebraska, the route often followed the established Chicago, Burlington and Quincy Railroad corridor before shifting in the western part of the state to closely follow the Republican River valley then shifting north to again follow the rail line into Colorado.

Safety concerns quickly became an issue because of increased traffic congestion and inappropriate engineering mostly as a result of connecting segments of existing roadways. As early as 1913, numerous railroad crossings, narrow bridges, and sharp turns had to be clearly marked. Burlington Railway placed alarm bells at railroad crossings and made sure approaches and crossings were well graded to assist motorists and improve safety of auto/rail crossings. Tourist traffic was so heavy, promoters estimated that 75,000 tourists traveled the route in 1919. Across the state tourist attractions and services were constructed to support the booming business.<sup>6</sup>

As highways became regulated and state and federal funding and regulations were established in 1916, the D-L-D route began to change and become more standardized. It became part of the state highway system in 1919 and was designated Nebraska State Highway 6 in 1924 when numbers were assigned to named highways to unify highway identification across the country. The Federal Department of Agriculture formally announced the numbered highway system in 1925 and Nebraska State Highway 6 became a federal highway in 1926. Though the corridor was associated with several route numbers through the 1930s, by 1940 it was finally designed as U.S.-6. Not to shift too far from the tradition of naming highways, the corridor was designated as the national route honoring the Grand Army of the Republic in 1937 and the Nebraska Department of Roads (NDOR) in 1947 placed markers every 25-miles along the corridor. None of the signs remain today as they were removed by theft, vandalism, maintenance and after extra supplies were exhausted, they were no longer installed. However, the route is still called the Grand Army of the Republic Highway and other states commemorate it through signage.<sup>7</sup>

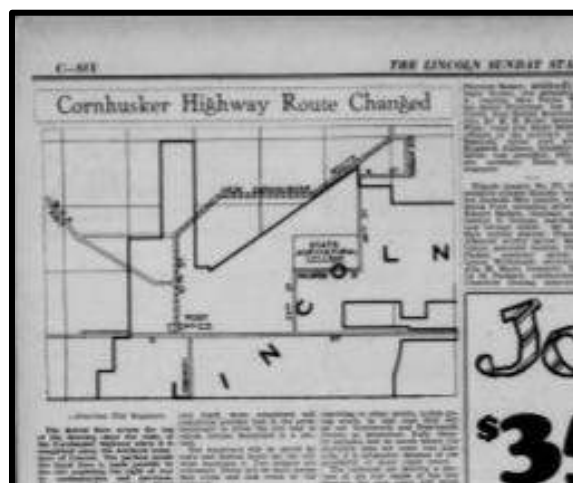
In Lincoln, the D-L-D Highway, along with the Lincoln Highway and several other named highways made their way through downtown along “O” Street. As traffic increased the city proposed a route change to bypass downtown to save time and increase safety. The Lincoln *Sunday*

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<sup>6</sup> Mead and Hunt, *Nebraska Historic Highway Survey*, August 2002, pp 31-35.

<sup>7</sup> Ibid. 37-38.

*Star* documented the new route in 1930 showing the new Cornhusker Highway route around the north side of the city limits at the time. It was planned as a paved route that would allow motorists to go around the city and not have to go through Havelock, University Place, or Lincoln when trying to get around town. This project was done in partnership with the railroads because the new route significantly reduced the number of cars crossing their tracks. This new route became the U.S. 6 bypass and is the route of Cornhusker Highway today and includes the corridor within the project study area of this undertaking.<sup>8</sup>



*Lincoln Star newspaper from February 2, 1930 illustrating the new route of Cornhusker Highway around the north side of the city limit. This represents the present route of the road today and the segment within the project APE for this undertaking.*

The corridor became so popular that its original intent as a bypass to relieve the heavy traffic downtown almost immediately failed. Numerous newspaper articles from the 1940s document the almost instant commercial growth along Cornhusker Highway within this corridor and how traffic trying to access the businesses and cross the railroad tracks caused significant congestion in what was meant to be an area to relieve congestion. The Nebraska Department of Roads went so far as to approach the state legislature to empower them to regulate the development and access to the highway, although their efforts failed. The attempts to building the new Cornhusker Highway as a convenient bypass for Highway 6 around the north side of town to alleviate congestion along “O” Street in downtown, resulted in a new area of congestion and traffic in Lincoln.<sup>9</sup>

During the period between the 1930s and 1950s business development along the corridor included grocery stands, restaurants, garages, and gas stations. The second generation with buildings dating to the 1960s and 1970s evolved into more commercial business enterprises and light industrial

<sup>8</sup> “Cornhusker Highway Route Changed.” *Lincoln Sunday Star*, 2 February 1930.

<sup>9</sup> *The Lincoln Star*. July 1943-January 1954.

areas. The built environment shifted to mass produced metal buildings for both residential and commercial purposes, multi-tenant buildings like strip malls, and mobile homes.

### ***Survey Summary Results***

Every property within the APE for direct effects was surveyed as part of this undertaking. That includes 173 commercial, industrial, and residential buildings that are illustrated in the table at Appendix A. Property types represented within this cultural resource study include light industrial, commercial, residential and educational. Property development within the APE can be linked to subdivisions annexed into the city over the decades. The earliest annexations are located at the south and east end of the project area near and around North 33<sup>rd</sup> Street. The primarily single-family houses at 33<sup>rd</sup> and Merrill as well as at 33<sup>rd</sup> between Madison and St. Paul Avenue are part of subdivisions annexed between 1889 and 1890. A summary of the property types evaluated during field survey are discussed below.

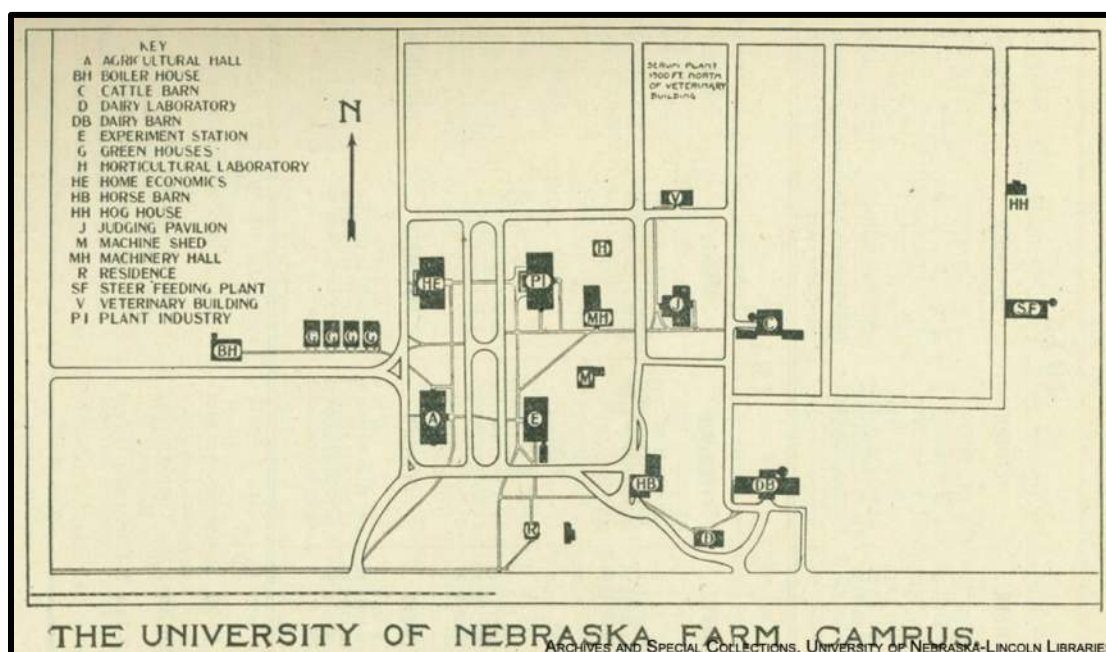
#### ***Educational***

Within the APE, the area around East Campus represents some of the earliest development. However, the small portion of agricultural field within the APE is the latest addition to this portion of campus. East Campus was developed as the University's farm campus in 1873, four years after the University was established as the land grant University in Nebraska in 1869. The farm campus was located at North 33<sup>rd</sup> and Holdrege Streets and was comprised of a farmstead with a stone house, barns and agricultural fields to provide experiential learning for the students. Farm campus existed as a unique element to the University and expanded with the construction of its own campus quad with formal brick buildings which represented a significant departure from the farm and open fields. By 1915 a formal quad was developed with classically inspired buildings and landscape. The campus continued to develop over the decades with one notable addition including the tractor test facility that certified the towing and power capacities of tractors as claimed by their manufacturers. An oval test track was constructed, and the tractors' towing capacity would be tested until failure to verify their strength. The tractor test lab continues as an officially designated tractor testing station today. The original 1919 tractor test building has been converted to the Larsen Tractor Test and Power Museum. East Campus continued to develop throughout the 20<sup>th</sup> century with a significant burst of growth during the 1960s. During this decade, the University grew significantly, and East Campus saw major changes. For the first time, non-agricultural buildings were added to house the Dental School, Nebraska ETV, and the Nebraska Center for Continuing Education. The name was also officially changed from the Farm Campus to East Campus. By this decade the boundary of the campus was extended to the boundaries that exist today and include the agricultural fields at North 33<sup>rd</sup> and Huntington Streets that are within the APE for this undertaking.



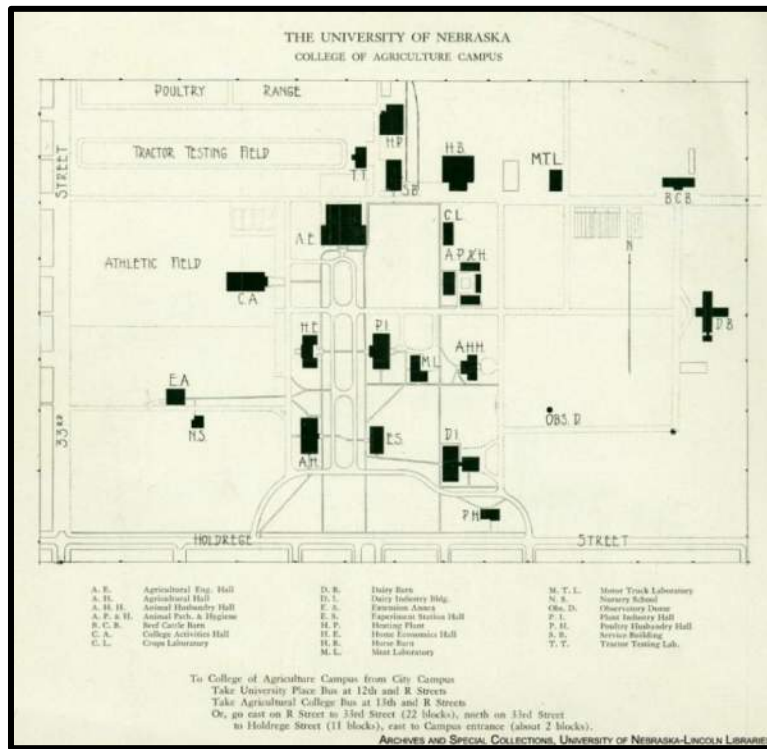
Ed Zimmer, City of Lincoln Historic Preservation Planner was consulted regarding potential historic significance and NRHP eligibility of east campus. As a Certified Local Government (CLG), Zimmer is responsible for the city's historic preservation program as funded by the NeSHPO. Zimmer concluded that a possible historic district at East Campus could be evaluated, but that a potential district boundary would extend to include the historic campus quad, but not beyond that area given the modern construction, infill, and development of East Campus. This consultation in addition to the later development, and the new construction of the built environment and sites at the north end of east campus concludes with a recommendation that the agricultural fields are not eligible. The only East Campus building that is within the APE for this undertaking is the Game and Parks office which was constructed in 1972. It is not recommended eligible as a property that at the date of this writing is not yet 50 years old. At the time of construction of the project, the building will have reached the 50-year age limit, however, it does not exhibit characteristics of properties from the recent past that represent important historical significance.

The three images below illustrate the evolution of East Campus and were provided by the University Library and Archive and accessed at [www.historicbuildings.unl.edu](http://www.historicbuildings.unl.edu)

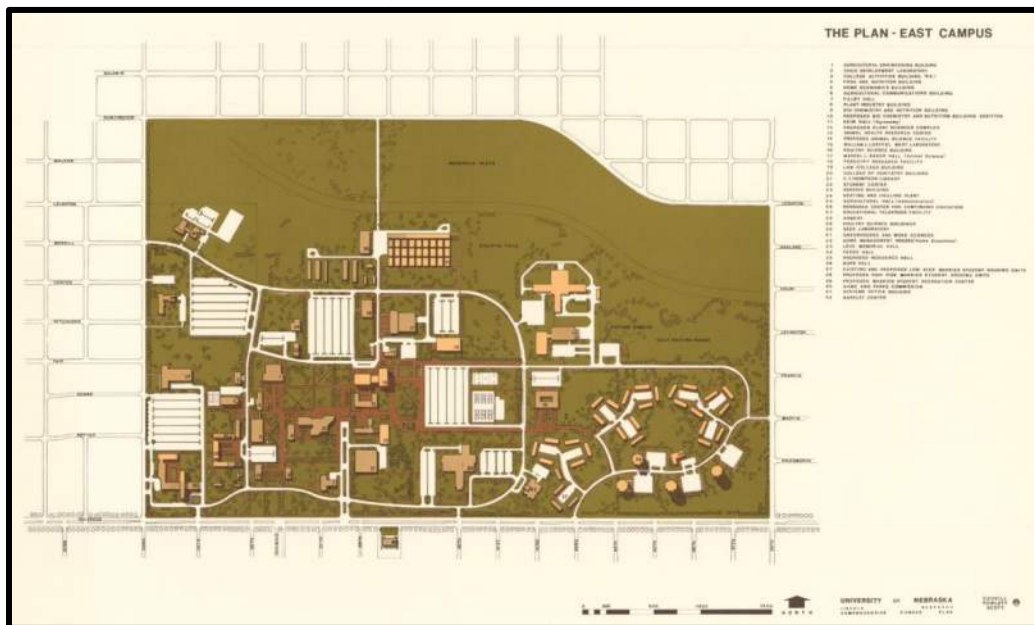


*Map of Farm Campus from 1914. Map shows the orientation of campus quad toward Holdrege street*

North 33<sup>rd</sup> and Cornhusker  
 Historic Property Identification  
 RTSD B.U. No. 5919  
 City Project No. 702614  
 NDOT CN 13294



Map of Farm Campus from 1927. Campus has added buildings north and east of the quad, but main orientation remains south toward Holdrege St.



Map of East Campus from 1968. By this time East Campus has expanded to the boundary that exists today and began adding non-agricultural related buildings.

### *Residential*

Residential properties within the APE consist of a wide variety of generally small-scale single-family houses, multiple unit apartment buildings, mobile homes, and rental properties. The oldest residential properties are at the south end of the project area along North 33<sup>rd</sup> Street and Merrill as well as at North 33<sup>rd</sup> between Madison and St. Paul Ave. These subdivisions were annexed by the City of Lincoln in 1889 and 1890, however none of the residential stock reflect that building era. The houses in the neighborhood of 33<sup>rd</sup> between Merrill and Leighton are mostly one to one-and-a-half story cottages built between the 1920s and the 1970s. Most of them have been altered with new windows, enclosed porches, new siding/cladding materials, and additions

The residential neighborhood at North 33<sup>rd</sup> between St. Paul Ave and Madison Street illustrates the same development pattern with almost all properties constructed between 1952 and 1962. These houses are one-story cottages, minimal traditional, and ranch style with a variety of alterations including new windows, doors, siding/cladding materials, and additions. A series of apartment buildings forming a large complex at North 33<sup>rd</sup> and Huntington dates to 1975 and beyond.

North of Cornhusker Highway residential properties include a mobile home park along with apartment complexes. The mobile homes within the park date from the late 1980s through to the current time.

Two brick residential properties at North 48<sup>th</sup> and Fremont Streets had been previously evaluated by the City of Lincoln historic preservation program and identified as not eligible for the NRHP. The two residential properties include a one-story bungalow with front porch and a two-story Neo-Colonial Revival. Consultation with Ed Zimmer, City Historic Preservation Planner confirmed that both properties have diminished physical integrity and neither have significant associated historic contexts related to NRHP significance criteria.



*Residential properties at 3533 and 3545 N 48<sup>th</sup> Street.*



North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
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*View of residential neighborhood at North 38<sup>th</sup> and St. Paul Streets. This area represents a typical residential collection of buildings found within the APE for this undertaking*



*North 40<sup>th</sup> Street at Fremont and Kim looking generally northeast into the mobile home park.*



### *Industrial*

Light industrial properties are located primarily along the south side of Cornhusker Highway. A strip of land between the railroad tracks and other commercial or residential development is zoned industrial where many of these properties date to the 1960s and consist mostly of prefabricated metal buildings. North of Cornhusker Highway the properties immediately adjacent to the road are zoned for Highway Commercial activity while some of the second-tier properties north of the highway are zoned industrial. Here, again, the built environment consists primarily of prefabricated metal buildings dating to the post 1975-era. Industrial properties on the southeast side of Cornhusker Highway represent an earlier generation of buildings, but none of the buildings have been identified as NRHP eligible. By the very nature of most industrial properties, they are ever changing to accommodate new technology as well as fluctuating needs in production. Industrial properties are often set back from other commercial buildings with open storage areas either paved with concrete, covered with gravel, grass or compacted soil. No industrial buildings were identified as NRHP eligible within the APE for this undertaking.



*Examples of Industrial properties within the APE include the Aramark Uniforms and Apparel property at 3300 N 41<sup>st</sup> Street and RMP (Rivers Metal Products) a metal fabrication company at 3100 N 38<sup>th</sup> St.*

### *Commercial*

Commercial properties extend from the southern most point of the APE corridor and continue throughout the entirety of the study area. The area along Cornhusker Highway is zoned for Highway commercial and retains everything from electric companies to automotive repair to restaurants to retail. In this area there are many more building types represented because of the variety of construction dates and development periods represented within the built environment. Examples range from 1950s brick commercial storefronts, to 1970s commercial blocks, to contemporary strip malls and gas/service stations. Given the heavy traffic and density of the area most of these properties have been modernized or altered over time and none are recommended National Register eligible as part of this undertaking.



*Examples of commercial properties within the APE include Virginia's Travelers Café at 3820 Cornhusker Highway and Metzger's Auto Service at 3730 Cornhusker Highway*

### ***Other Documentation***

In August 2018 the Corps published a final Integrated Feasibility Report and Environmental Assessment to address flood risk management along Deadmans Run. Part of that undertaking included an evaluation of cultural resources, a portion of which was in and near the APE for this undertaking. In the cultural resources section of the final document in section 5.1.10, on page 98, the Corps concluded that, "Surveys and investigation indicated that although there were numerous historical sites and properties within the local area, none of these sites or properties are located within the APE; therefore, under the proposed alternative, no impacts to historical properties are anticipated to occur." The reference to numerous historical properties within the area includes NRHP listed properties within one mile of the APE that followed the linear corridor of Deadmans Run watershed. It is important to note that there were no historic properties within their APE and no historic properties identified as part of the survey and evaluation efforts they undertook. A link to this report can be found at <https://www.nwo.usace.army.mil/Missions/Civil-Works/Planning/Planning-Projects/LincolnNE/>

### ***Recommended Project Effects***

Field survey and context development, along with consultation with NeSHPO and the City of Lincoln Historic Preservation department have identified no NRHP eligible properties within the APE for this proposed undertaking. In order to accommodate potential effects caused by construction of an elevated roadway as well as an elevated pedestrian crossing, a supplemental APE to address potential effects to historic properties was identified. This supplemental APE took into account the height of the proposed new elements on the landscape and the effect they may have on the viewshed to and from historic properties. However, there are no historic properties within the supplemental APEs for either the proposed elevated roadway or the elevated pedestrian crossing.

The area surrounding the pedestrian crossing extends approximately ½ block north of the APE for the undertaking. The built environment along Colfax Avenue consists of one-story residential properties of contemporary construction. The supplemental viewshed APE in the area surrounding North 33<sup>rd</sup> Street and Cornhusker Highway incorporates portions of the mobile home park along with contemporary big box stores and fast food restaurants.

This report also took into consideration the potential for long term and indirect effects as a result of the proposed construction of the grade separations and railroad safety project. This area is primarily commercial and industrial that serves the multi-modal public. Zoning throughout the corridor currently accommodates the mix of commercial and industrial uses with residential neighborhoods on the fringes. The proposed project would not cause an overall increase or decrease of traffic volumes in the corridor, nor will it prohibit or enhance zoning changes or commercial development that does not already exist. Further, the area is fully developed along the corridor and has very specific constraints defined by the active railroad tracks and busy Cornhusker Highway.

***This report recommends that there are no historic properties within the APE identified at Figure 2 for this undertaking. It further recommends that there will be no historic properties affected by the undertaking, including long term and indirect effects.***

# Appendix A: Illustrated Table of Properties Surveyed

*Photos for properties 45 years old and older only*

Address	Construction Date	Eligible	Photo
3284 Merrill St	1983	N	N
3280 Merrill St	1977	N	N
3274 Merrill	1937	N	
3291 Leighton Ave	1930	N	
3285 Leighton Ave	1985	N	
3281 Leighton Ave	1930	N	
3275 Leighton Ave	1950	N	
3269 Leighton Ave	1925	N	
3265 Leighton Ave	1954	N	
2301 N 33 St	1975	N	
2333 N 33 St	1987	N	N
2415 N 33 St	1973	N	



2435 N 33 St	1965 N	
2505 N 33 St	1975 N	
2525 N 33 St	1963 N	
2535-47 N 33 St	1967 N	
2705 N 33 St	1963 N	
2747 N 33 St	1960 N	
2829 N 33 St	1997 N	N
3243 Cornhusker Hv	2006 N	N
3304 Madison Ave	1972 N	
3300 Huntington	1975 N	

33 & Baldwin



3309 St. Paul Ave

1954 N



3317 St. Paul Ave

1952 N



3323 St. Paul Ave

1960 N



3331 St. Paul Ave

1951 N



3337 St Paul Ave

1952 N



3347 St Paul Ave

1952 N



3409 St Paul Ave

1954 N



3417 St Paul Ave

1917 N



3435 St Paul Ave

1962 N



3445 St Paul Ave

1952 N



3440 St Paul Ave

1952 N



3430 St Paul Ave

1952 N



3422 St Paul Ave

1952 N



3410 St Paul Ave

1952 N



3400 St Paul Ave

1952 N



3344 St Paul Ave





1950 N






3338 St Paul Ave

1940 N



3330 St Paul Ave	1952 N	
3320 St Paul Ave	1952 N	
3310 St Paul Ave	1987 N	N
2721 N 35 St	1987 N	N
2727 N 35 St	1988 N	N
3310 Madison Ave	1920 N	
3312 Madison Ave	1990 N	N
3316 Madison Ave	1990 N	N
3400 Madison Ave	1989 N	N
3430 Madison Ave	1986 N	N
2851 Madison Ave	1995 N	N
3425 Cleveland Ave	1996 N	N
3333 Cleveland Ave	1980 N	N
3320 Cleveland Ave	1994 N	N
3520 Cleveland Ave	1998 N	N
2933 N 36 St	1968 N	
2945 N 36 St	1975 N	
2900 N 36 St	1980 N	N
2936 N 36 St	1964 N	



3625 Adams St	1952 N	
3645 Adams St	1955 N	
3701 Adams St	1989 N	N
3711 Adams St	1989 N	N
3733 Adams St	1990 N	N
2905 N 38 St	1986 N	N
2920 N 38 St	1980 N	N
2960 N 38 St	1977 N	
3700 Adams St	2002 N	N
3830 Adams St	1960 N	
3100 N 38 St	1989 N	N
3103 N 38 St	1900 N	
3117 N 39 St	1930 N	
3154 N 40 St	1960 N	




3164 N 40 St	1920 N	
3176 N 40 St	1910 N	
3201 N 41 St	1977 N	N
3171 N 41 St	1993 N	N
3300 N 41 St	1968 N	
3415 N 44 St	2016 N	N
3425 N 44 St	1963 N	
3500 N 44 St	N	
4700 Fremont St	1966 N	
3545 N 48 St	1930 N	
3533 N 48 St	1930 N	

3505 N 48 St	1969 N	
4630 Hartley St	1962 N	
4621 Hartley St	1980 N	N
4645 Hartley st	1978 N	N
4713 Hartley St	1950 N	
3449 N 48 St	1977 N	N
3646 N 48 St	1998 N	N
3635 N 49 St	1958 N	
3625 N 49 St	1961 N	
4844 Fremont St	1951 N	
4830 Fremont St	1947 N	
3500 N 48 St	2009 N	N
4825 Fremont St	1920 N	
4835 Fremont St	2002 N	N

4845 Fremont St	1949 N	
4900 Hartley St	1958 N	
4830 Hartley St	1988 N	N
4538 Cornhusker Hv	2001 N	N
4530 Cornhusker Hv	1973 N	
4500 Cornhusker Hv	1989 N	N
4400 Cornhusker Hv	1989 N	N
3706 N 44 St	1974 N	
3720 N 44 St	1940 N	
3730 N 44 St	1960 N	
4330 Cornhusker Hv	1974 N	
3615 N 44 St	1973 N	
4341-4321 Edison Ci	1979 N	N



4342 Edison Cir	1935 N	
3721 N 44 St	1964 N	
3731 N 44 St	1972 N	
4320 Edison Cir	1973 N	
4300 Edison Cir	1971 N	
4200 Edison	1974 N	
4300 Cornhusker Hv	1972 N	
4300 Cornhusker Hv 1992 (APTS)	N	N
4242 Cornhusker Hv	1991 N	N
4200 Cornhusker Hv 1970-2010	N	Mobile Home Park
4000 Cornhusker Hv	1960 N	
3940 Cornhusker Hv	1978 N	N

3900 Cornhusker Hv	1950	N	
3820 Cornhusker Hv	1950	N	
3511 N 40 St	1978	N	N
3510 39 Cir	1978	N	N
3500 39 Cir	1983	N	N
3501 39 Cir	1984	N	N
3509 39 Cir	1996	N	N
3810 Cornhusker Hv	2004	N	N
3800 Cornhusker Hv	1967	N	
3770 Cornhusker Hv	2013	N	N
3750 Cornhusker Hv	2003	N	N
3730 Cornhusker Hv	1995	N	N
3710 Cornhusker Hv	1966	N	
3400 N 37 St	1980-2010	N	Mobile Home Park
3630 Cornhusker Hv	1979	N	N
3520 Cornhusker Hv	1986	N	N
3510 Cornhusker Hv	1952	N	
3500 Cornhusker Hv	1979	N	N
3026 N 35 St	1993	N	N
3636 Cornhusker Hv	1986	N	N

3450 Cornhusker Hv	1959 N		
3017 N 35 St	1997 N	N	
3015 N 35 St	1997 N	N	
3025 N 35 St	1997 N	N	
3400 Cornhusker Hv	1965 N		
3320-3030 N 33 st	1955/1989	N	
3100 N 33 St	1981 N	N	
3120 N 33 St	1983 N	N	
3244 Cornhusker Hv	1994 N	N	
3441 Adams St	1940/1985/2015	N	
3210 Cornhusker Hv	1994 N	N	
3130 Cornhusker Hv	1999 N	N	
3100 Cornhusker Hv	1997 N	N	
3223 Cornhusker Hv	1972 N		
3010 Cornhusker Hv	1991 N	N	
3131 Cornhusker Hv	1972 N		
2940 Cornhusker Hv	1954 N		

3101 Cornhusker Hwy	N	
2920 Cornhusker Hv	1978 N	N
2904 Cornhusker Hv	1994 N	N
2929 Cornhusker Hv	1958 N	
2939 Cornhusker Hv	1961 N	
3001 Cornhusker Hv 1955/1970/2000	N	
2825 Cornhusker Hv	1989 N	N
2919 Cornhusker Hv	1993 N	N
2820 Cornhusker Hv	2013 N	N
2801 Cornhusker Hv	1972 N	
2810 Cornhusker	1990 N	N
2800 N 27 St	2004 N	N
2712 Cornhusker Hv	1998 N	N



## ATTACHMENT A. ARCHEOLOGICAL SURVEY INFORMATION

### CONFIDENTIAL

#### *Archeological Resources*

Archeological resources were included in the previous PEL study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four site numbers to properties within that previous study area. None of those four sites were recommended NRHP eligible. The APE for the undertaking has been refined based on the proposed alternate moving forward. As such, these studies and the assigned archeological site numbers are no longer within the direct APE for the undertaking. They are however located within the APE for visual effects from construction of the proposed elevated roadway.

This report recommends that there will be no archeological historic properties affected by this undertaking. There are no NRHP eligible properties within the direct APE and no known eligible properties within the APE for the elevated roadway. However, there is no potential for direct impacts by the viewshed APE on the properties with unassigned eligibility. The following map illustrates the location of the surveys and sites.

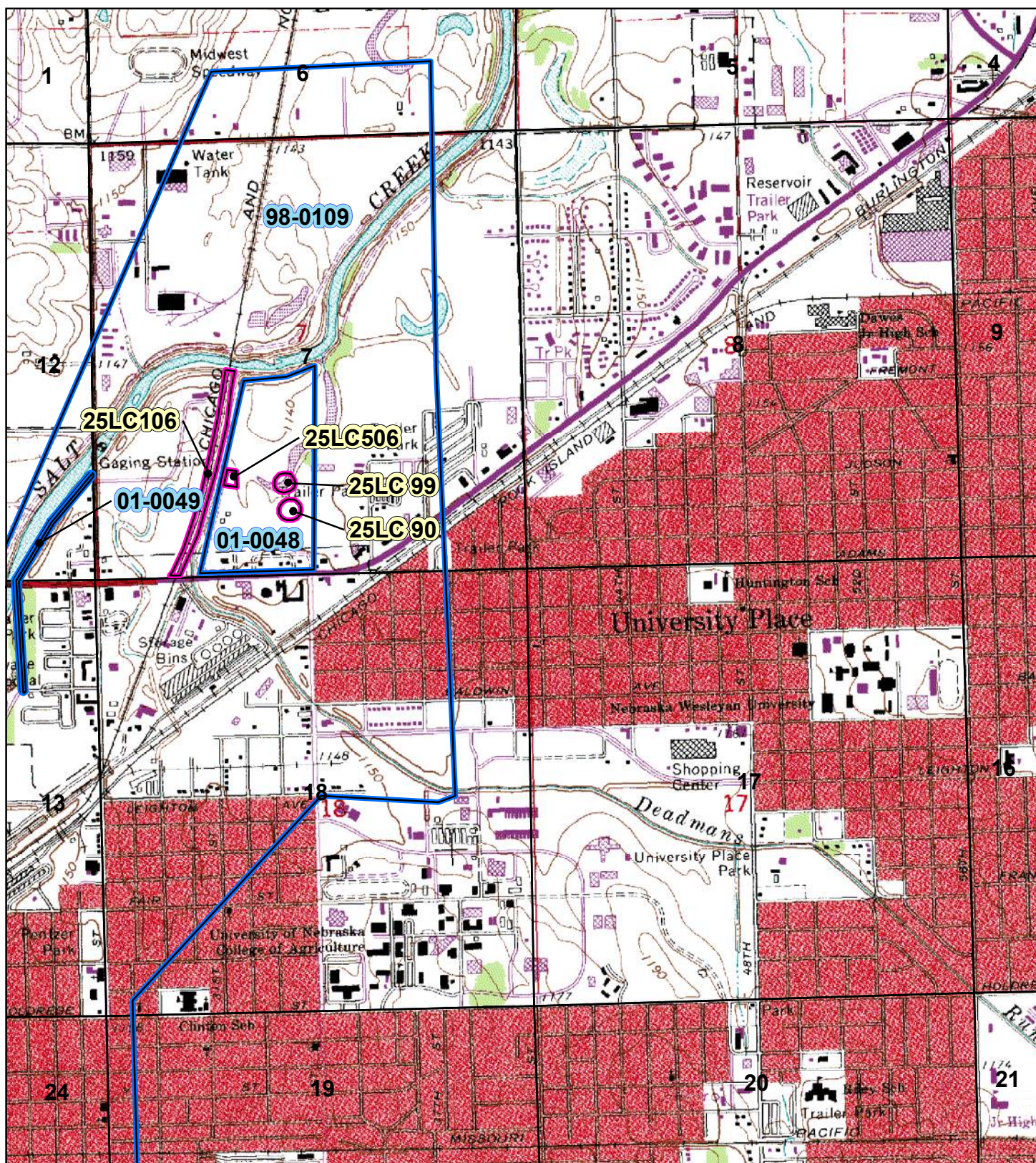
**Table A-1. Previously Identified Archeological Sites**

Site Number	Name	NRHP Eligible
25LC90		Unknown
25LC506	Capital Mills	Unknown
25LC99		Unknown
25LC106		Not Eligible

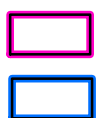
**Table A-2. Archeological Surveys**

Survey Name	Author	Date
Archeological Inventory and National Register Testing of Sites 25LC90, 25LC99, and 25LC 506, Antelope Valley Study Area	Stan Parks and Stacy Stupka-Burda	11-1-2000
Archeological Inventory and Testing of the Antelope Valley Major Investment Study Area	Stan Parks and Stacy Stupka-Burda	5-4-1998
North 27th Street Bypass Trail	Rob Bozell	12-29-2000





## Recorded Archaeological Sites & Surveys in Project Area



archeo\_site

archeo\_survey

0

0.5 Miles





North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
NDOT CN 13294

## ATTACHMENT B: PROPOSED PROPERTY ACQUISITIONS

### *Summary of Acquisitions*

To accommodate the proposed construction of the grade separation at North 33<sup>rd</sup> Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended National Register eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided below along with a map identifying their location. In addition, a variety of partial acquisitions for features such as right-of-way, temporary easement, sidewalk construction, and other similar construction activities have also been identified. A full table and map of all acquisitions is also provided, but because there are no properties recommended NRHP eligible there is no individual discussion of these partial acquisitions.

*Table of Full Acquisitions*

<i>Address</i>	<i>Map Number</i>	<i>Type</i>	<i>Historic</i>	<i>Property Type</i>
3223 Cornhusker Hwy	5	Full	No	Comm/Industrial
2829 N. 33 St. B	8	Full	No	Comm/Industrial
2829 N. 33 St. C	10	Full	No	Comm/Industrial
2705 N. 33 St.	64	Full	No	Comm/Industrial
2747 N. 33 St.	66	Full	No	Comm/Industrial
2435-45 N. 33 St.	71	Full	No	Comm/Industrial
No Site Address (NE crnr 33 and Baldwin)	93	Full	No	City of Lincoln
No Site Address 94	94	Full	No	City of Lincoln
No Site Address 98	98	Full	No	City of Lincoln
3309 St. Paul	99	Full	No	Residential
3304 Madison Ave	117	Full	No	Comm/Industrial



North 33<sup>rd</sup> and Cornhusker  
 Historic Property Identification  
 RTSD B.U. No. 5919  
 City Project No. 702614  
 NDOT CN 13294

3310 Madison Ave	119	Full	No	Residential
3401 Cleveland Ave Or 3333 Cleveland	199	Full	No	Comm/Industrial
3320 Cleveland Ave	201	Full	No	Comm/Industrial
3625 Cleveland Ave	205	Full	No	Comm/Industrial
3000 N 35 <sup>th</sup> St	227	Full	No	Comm/Industrial

North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
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1. 3223 Cornhusker Hwy, 1972  
Map number 5

The property at 3223 Cornhusker Highway was built in 1972 and is an L-shaped single-story strip mall with permastone cladding. Vertical cementitious panels interrupt the cladding at the corners and as panels across the façade. A strip of vertical metal cladding across the cornice/roof line extends across the building as well. An awning projects from the west elevation. A red bubble awning extends across the north façade. Multiple storefront openings are flush to the elevation and the building is setback from the street surrounded by concrete surface parking. At the time of this writing, there were several businesses occupying the building including La Cabana Restaurant and Bar, Cash Solutions, and Urban Photo, and La Mexicana Grocer. The property is not recommended NRHP eligible as it does not meet the 50-year age standard. In addition, this property does not possess individual significance to support NRHP eligibility.



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2. and 3. 2829 N 33<sup>rd</sup> St, 1997  
Map numbers 8 and 10.

Map numbers 8 and 10 include land just north of the railroad crossing at North 33<sup>rd</sup> Street between the tracks and the building at 2829 N. 33<sup>rd</sup> Street. The property at 2829 N. 33<sup>rd</sup> Street is map number 9 and is home to Johnstone Supply Company and is a large-scale prefabricated metal building with very shallow gable end roof. The street facing gable end is clad with vertical light blue metal cladding with brick veneer across the main or east facing facade. The storefront and business openings across the main façade are flush with the wall surface. Second elevations are clad with vertical metal panels. Constructed in 1997 the building is not old enough to be considered eligible for the NRHP. This property consists of tracts 8-10 including the building and the lots immediately adjacent to the building, between it and the railroad tracks. Factory Motor Parts Company is located in the back wing of the building.



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4. 2705 N 33<sup>rd</sup> St., 1963  
Map Number 64

This property is located south and west of the rail crossing and North 33<sup>rd</sup> Street. The industrial/commercial building is prefabricated metal with a shallow gable end roof. A truncated awning projects across most of the main façade with openings flush to the elevation. The building is home to Star City Auto Sales and Parts an auto and salvage yard. Built in 1963, the property does meet the NRHP age standard of being 50 years old. As a prefabricated metal building, it does not possess historic significance. These types of properties are mass produced for functional storage and industrial uses and this building does not represent a significant property type.





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5. 2747 N 33<sup>rd</sup> St., 1960  
Map number 66

The building at 2747 North 33<sup>rd</sup> Street also represents a type of prefabricated metal building. The property is currently owned by Kore Holdings, LLC, though the O’Keefe Elevator Company sign remains prominent on the façade. This property has a sloping shed roof. The main façade is a combination of brick facing with vertical metal panel over the windows and entry door. The metal panel serves as a signboard. Constructed in 1960 this building does meet the NRHP age standard of 50 years, as a prefabricated metal building it does not possess significance as it does not represent a significant property type, nor is it associated with important events or people.



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6. 2455 N. 33<sup>rd</sup> St., 1965  
Map number 71

This one-story building was constructed in 1965. It has a rectangular plan with a two-story addition at the rear of the property. The concrete masonry unit (cmu) building has a flat roof with pedestrian and overhead garage door openings flush to the main façade. The façade is comprised of simple cmu with stamped units that add some texture to the elevation. A red fabric awning shelters and identifies the customer entrance at the main façade. Located at the southwest corner of North 33<sup>rd</sup> and Huntington Streets this property is not recommended NRHP eligible. The commercial property is a basic rectangle constructed using standard cmu with a two-story addition. It does not represent significant architectural style nor does it represent or contribute to other NRHP criteria. At the time of this writing, the building is occupied by Olston's Import Car Sales and Automotive repair.



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7-9. City of Lincoln, Northeast Corner N. 33<sup>rd</sup> and Baldwin Streets  
Map numbers 93, 94, 98

This property is owned by the City of Lincoln and does not possess an assigned street address. The three lots retain one large building surrounded by chain link fence and surface storage. The building is a gable roof wood, metal, and brick veneer warehouse dating to approximately 1965. The gable end is clad with vertical siding with brick below. A centered overhead garage door and single window unit next to a pedestrian entrance faces south. Garage openings are present on the east and south elevations facing the storage yard. This building is a mass-produced warehouse style property with no significant architectural detailing or typology. It is not recommended NRHP eligible. The other two properties associated with this unit are empty lots.





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10. 3309 St. Paul Ave., 1954  
Map number 99

This one-story minimal traditional cottage has a side gable roof with projecting treated lumber front porch. The main façade has a center entrance with a paired window unit under the shelter of the porch. The window unit has been reduced in size with new window sashes installed. The porch is also an addition from outside the historic period. Siding covers the original cladding material at the residence. This property is not recommended NRHP eligible largely due to alterations that diminish its physical integrity.





11. 3304 Madison Ave, 1972  
Map number 117

This prefabricated metal building is located at the northeast corner of North 33<sup>rd</sup> Street and Madison Avenue. The building has a shallow gable-end roof with vertical metal siding. A plate glass storefront type window with a centered pedestrian entrance within the opening punctuates the main south facing façade. At the time of this writing the building was home to Avenue Cycle. It is not recommended NRHP eligible as it currently does not meet the 50-year age standard, and it is a prefabricated mass-produced metal building that does not possess individual significance to contribute to NRHP eligibility criteria.



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12. 3310 Madison Ave, 1920  
Map number 119

This one-story residence has a gable-end roof line with shed bump-out at the west elevation. A projecting gabled door hood at the south facing main façade shelters the main entrance. This door hood has been enclosed with glass and aluminum outside of the historic period. Scrolled columns infill the porch enclosure. Wide siding clads the exterior of the building and new windows have been added. Though this building was constructed in 1920, it is not recommended NRHP eligible due to a loss of physical integrity from additions and alterations over time.



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13. 3401 Cleveland Ave.-(3333 Cleveland), 1980  
Map number 199

This one-story commercial building has a side-gable roof and constructed of concrete masonry unit. This lot parallels the railroad and contains one multi-unit commercial building and one garage-type storage building. The commercial building has multiple aluminum and glass pedestrian entrances punctuated by single pane glass windows between. Vertical cladding material at the window bays contrasts with the block walls. Horizontal siding clads the side gables. This property is not recommended NRHP eligible. It was built in 1980 and is outside the 50-year age standard.



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14. 3320 Cleveland Ave., 1994  
Map number 201

The property at 3320 Cleveland Avenue runs parallel to the railroad tracks and consists of six identical prefabricated metal buildings on concrete foundations. The buildings have full-height overhead garage doors in the gable ends high enough to accommodate large tractor-trailers. Aluminum and glass pedestrian entrances adjacent to the overhead doors provide access to the various commercial tenants. Constructed in 1994 this property is not recommended NRHP eligible due to its age.





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15. 3625 Adams St., 1952  
Map number 205

The building at 3625 Adams Street was constructed in 1952 and is a one-story concrete block building with a full-width projecting flat metal awning. Currently the plain rectangular building is painted white with blue trim and is home to Azteca Motors. A pedestrian entrance with single pane storefront type windows are flush with the main façade. An addition at the west elevation is recessed from the main façade and has vertical siding with a blue canvas awning with white banded Auto Glass sign across the front. This property is not recommended NRHP eligible. Its construction method is common and of the standard mass produced non-descript functional commercial building and does not possess significance associated with NRHP criteria.



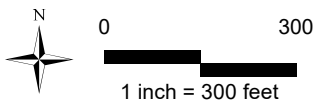
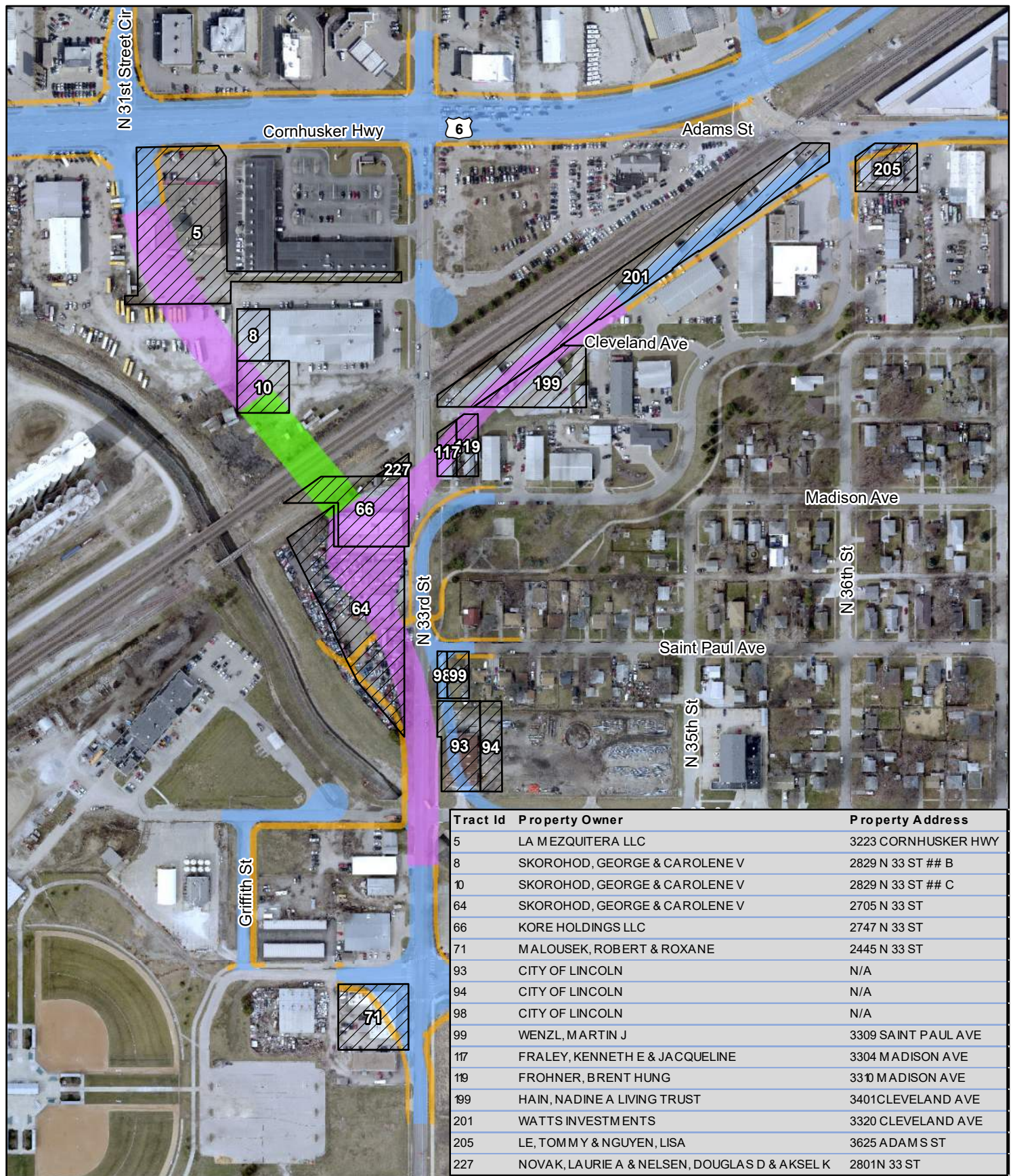
North 33<sup>rd</sup> and Cornhusker  
Historic Property Identification  
RTSD B.U. No. 5919  
City Project No. 702614  
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16. 2801 N 33<sup>rd</sup> St., Unimproved lot  
Map number 227

This property is an unimproved triangular shaped empty lot located north of the O'Keefe elevator building and south of the railroad tracks.







### Legend

- Potential Full Property Acquisition
- Sidewalk Construction
- Roadway Construction
- Retaining Wall Construction
- Bridge Construction

**33rd & Cornhusker**  
Lincoln, Nebraska  
Olsson Project No. 017-3604-A  
**Property Acquisition Map**





Updated as of March 16, 2020						Acquisition Type?	
Tract ID	Property Owner Information	Property Address	Residential?	Commercial / Industrial?	Other?	Full	Partial
1	Mapes Industries Inc.	2929 Cornhusker Hwy, Lincoln, NE 68504		X			X
2	30th and Cornhusker Lincoln LLC	3001 Cornhusker Hwy, Lincoln, NE 68504		X			X
3	Skorohod, George and Carolene V	3101 Cornhusker Hwy, Lincoln, NE 68504		X			X
4	John W Plagman	3131 Cornhusker Hwy, Lincoln, NE 68504		X			X
5	La Mezquitera LLC	3223 Cornhusker Hwy, Lincoln, NE 68504		X		X	
6	Ramubhai Patel	3243 Cornhusker Hwy, Lincoln, NE 68504		X			X
7	SKOROHOD CONDO BASE ACCOUNT	No Site Address		X			X
8	Skorohod, George and Carolene V	2829 N 33 St B, Lincoln, NE 68504		X		X	
9	Kim Cafferty	2829 N 33rd St, Lincoln, NE 68504		X			X
10	Skorohod, George and Carolene V	2829 N 33rd St C, Lincoln, NE 68504		X		X	
11	Al-Aboudy, Ahmed	3305 Cornhusker hwy, Lincoln, NE 68504		X			X
12	Al-Aboudy, Ahmed	2930 Cornhusker hwy, Lincoln, NE 68504		X			X
13	Al-Aboudy, Ahmed	3441 Adams St, Lincoln, NE 68504		X			X
14	BNSF	No Site Address			Railroad		X
15	Galanter Family (Lot)	2904 Cornhusker Hwy, Lincoln, NE 68504		X			X
16	M&E Investments LLC	2820 Cornhusker Hwy, Lincoln, NE 68504		X			X
17	City of Lincoln	No Site Address			City of Lincoln		X
18	Lower Platte South NRD	No Site Address			NRD		X
19	Northgate Park Inc	2920 Cornhusker Hwy, Lincoln, NE 68504		X			X
20	Don Meinke	2940 Cornhusker hwy, Lincoln, NE 68504		X			X
21	B&J Partnership LTD	3010 Cornhusker Hwy, Lincoln, NE 68504		X			X
22	Western Auto Supply Company	3100 Cornhusker Hwy, Lincoln, NE 68504		X			X
23	Cichoracki, David J	3130 Cornhusker Hwy, Lincoln, NE 68504		X			X
24	Tomlinson Daniel LLC	3210 Cornhusker Hwy, Lincoln, NE 68504		X			X
25	Whitehead Oil Co	3244 Cornhusker Hwy, Lincoln, NE 68504		X			X
27	T&S Real Estate LLC	3030 N 33rd St, Lincoln, NE 68504		X			X
31	McKinnis Properties	3400 Cornhusker Hwy, Lincoln, NE 68504		X			X
32	Norjon LLC	3450 Cornhusker Hwy, Lincoln , NE 68504		X			X
34	CDJ Johnson Family LTD PTNSP	3500 Cornhusker Hwy, Lincoln , NE 68504		X			X
35	Patel, Atulkumar T & Shobhanaben R	3510 Cornhusker Hwy, Lincoln, NE 68504		X			X
36	Brenden Family Trust	3520 Cornhusker Hwy, Lincoln, NE 68504		X			X
37	Double Allen LLC	3630 Cornhusker Hwy, Lincoln, NE 68504		X			X
38	Center Court LLC	3710 Cornhusker Hwy, Lincoln, NE 68504	X				X
39	Metzger's Auto Service Inc	3730 Cornhusker Hwy, Lincoln, NE 68504		X			X
40	Albusharif, Mustafa S	3750 Cornhusker Hwy, Lincol, NE 68504		X			
63	City of Lincoln	3200 Baldwin Ave, Lincoln, NE 68504			City of Lincoln		X
64	Skorohod, George, & Carolene V	2705 N 33rd St, Lincoln, NE 68504		X		X	
66	O'Keefe Elevator Company Inc	2747 N 33rd St, Lincoln, NE 68504		X		X	
67	RPB Inc	2547 N 33rd St, Lincoln, NE 68504		X			X
68	RPB Inc	2525 N 33rd St, Lincoln, NE 68504		X			X
69	Hemminger, Gerald & Carlene	2505 N 33rd St, Lincoln, NE 68504		X			X
70	Thieman & Kettelhut Enterprises LLC	3250 Huntington Ave, Lincoln, NE 68504		X			X
71	Malousek, Robert & Roxane	2435 N 33rd St, Lincoln, NE 68503		X		X	
72	Coleman Investments	2415 N 33rd St, Lincoln , NE 68503		X			X
73	Omaha, Lincoln, & Beatrice RR Co	2405 N 33rd St, Lincoln , NE 68503		X			X
74	Omaha, Lincoln, & Beatrice RR Co	No Site Address		X			
77	Board of Regents Univ of NEBR	No Site Address			University of Nebraska		X
78	CRO LLC	3300 Huntington Ave, Lincoln, NE 68504	X				X
79	Lower Platte South Natural Resources District	No Site Address			NRD		X
81	Board of Regents Univ of NEBR	3439 Baldwin Ave, Lincoln, NE			University of Nebraska		
82	Board of Regents Univ of NEBR	No Site Address			University of Nebraska		X
83	Lower Platte South Natural Resources District	No Site Address			NRD		X
93	City of Lincoln	No Site Address			City of Lincoln	X	
94	City of Lincoln	No Site Address			City of Lincoln	X	
95	City of Lincoln	No Site Address			City of Lincoln		X
96	City of Lincoln	No Site Address			City of Lincoln		X
97	City of Lincoln	No Site Address			City of Lincoln		
98	City of Lincoln	No Site Address			City of Lincoln	X	
99	Wenzl, Martin J	3309 Saint Paul Ave, Lincoln, NE 68504	X			X	
100	Strayer, Harold M & Shirley M	3317 Saint Paul Ave, Lincoln, NE 68504	X				X
101	Contreras, Jorge V	3323 Saint Paul Ave, Lincoln, NE 68504	X				
109	City of Lincoln	3304 Saint Paul Ave, Lincoln, NE 68504			Park		X
110	Watts, Gregory W	3310 Saint Paul Ave, Lincoln, NE 68504	X				X
111	Schmersal, Amber J	3320 Saint Paul Ave, Lincoln, NE 68504	X				
113	City of Lincoln	No Site Address			Park		X
114	City of Lincoln	2730 N 33rd St, Lincoln, NE 68504			Park		
115	City of Lincoln	No Site Address			Park		
117	Fraley, Kenneth E & Jacqueline	3304 Madison Ave, Lincoln , NE 68504		X		X	
119	Frohner, Brent	3310 Madison Ave, Lincoln, NE 68504	X			X	
161	City of Lincoln	No Site Address			Park		X
162	CL Development LLC	3415 N 44 St, Lincoln, NE 68504		X			
163	Cheever Construction Company	3425 N 44 St, Lincoln, NE 68504		X			X
167	CCME LLC	3500 N 44 St, Lincoln, NE 68504		X			X
168	Snyder Industries Inc	4700 Fremont St, Lincoln, NE 68504		X			X
169	Snyder Industries Inc	3565 N 48 St, Lincoln, NE		X			X
170	Olderbak Enterprises North LLC	3545 N 48 St, Lincoln, NE 68504	X				X
173	Claws LLC	4630 Hartley St, Lincoln, NE 68504		X			X
174	CCME LLC	3550 N 44 St, Lincoln, NE 68504		X			X
176	Norma Jane LLC	4400 Cornhusker Hwy, Lincoln, NE 68504		X			X
198	Jean Frazer	3316 Madison Ave, Lincoln, NE 68504		X			X
199	Richard & Nadine Hain	3333 Cleveland Ave, Lincoln, NE 68504		X		X	
201	Watts Commercial Properties LLC	3320 Cleveland Ave, Lincoln, NE 68504		X		X	
202	Watts Commercial Properties LLC	3520 Cleveland Ave, Lincoln, NE 68504		X			X
203	Lincoln Plumbers and Steamfitters	2945 N 36 St, Lincoln, NE 68504		X			X
204	Precision Machine Co Inc	2933 N 36th St, Lincoln, NE 68504		X			
205	Le, Tommy & Nguyen, Lisa	3625 Adams St, Lincoln, NE 68504		X		X	
206	Bolz, Richard L and Susan J	2936 N 36th St, Lincoln, NE 68504		X			X
207	Hobson, Richard	3645 Adams St, Lincoln, NE 68504		X			X
208	Tomka, Jim	3701 Adams St, Lincoln, NE 68504		X			X
209	Hicks, Daniel W & Jennifer A	3711 Adams St, Lincoln, NE 68504		X			X
210	Rivers, Darryl E Nonmarital Trust	3733 Adams St, Lincoln, NE 68504		X			
211	KAUK RENTALS LLC	3425 CLEVELAND AVE , Lincoln, NE 68504		X			
212	Baldwin Properties LLC Attn: Randy G Baldwin, Manager	2851 N 35th St, Lincoln, NE 68504		X			
227	Novak, Lauri A & Nelson, Douglas D & Aksel K	2801 N 33rd Street, Lincoln, NE 68504		X		X	



**Section 106 Tier II PQS Memo**  
**No Historic Properties Affected**  
*Project is not assigned under 326 NEPA Assignment*

<b>Control No:</b>	13294	<b>Project No:</b>	STP-30-1(129)	<b>Project Name:</b>	33 <sup>rd</sup> /Cornhusker Viaduct, Lincoln
<b>Date of Project Description:</b>		February 2023, see project package		<b>Project Location:</b>	Lancaster County

<b>NDOT PQS Project Effects Determination:</b>	<i>no historic properties affected</i>				
<b>NDOT PQS Signature:</b>	<i>Stacy Stupka</i>		<b>Date:</b>	05/02/2023	

**Tribal Consultation:**

THPO/ Tribes	Correspondence Sent (date)	THPO/Tribal Response (date)	Comments
Arapaho Tribe of the Wind River Reservation, WY	02/07/2023	05/02/2023, no response	30 day comment period expired without receiving a response from these tribes.
Cheyenne and Arapaho Tribes, OK			
Iowa Tribe of KA and NE			
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, MT		03/10/2023	Requested information re: archeological sites discussed in the file search. Stupka sent the site forms on 04/25/2023. Please note that there were no archeological sites identified within the direct APE.
Ogalala Sioux Tribe		05/02/2023, no response	30 day comment period expired without receiving a response from these tribes.
Omaha Tribe of NE			
Otoe-Missouria Tribe of Indians, OK			
Pawnee Nation of OK			
Ponca Tribe of NE			
Rosebud Sioux Tribe of the Rosebud Indian Reservation, SD			
Sac & Fox Nation of MO in KA and NE			
Three Affiliated Tribes of the Fort Berthold Reservation, ND			
Winnebago Tribe of NE		03/15/2023	Is within AOI; contact if unanticipated discovery is made
Yankton Sioux Tribe of SD		05/02/2023, no response	30 day comment period expired without receiving a response from this tribe.

**CLG Consultation:**

CLG	Correspondence Sent (date)	CLG Response (date)	Comments
Lincoln	02/07/2023	02/10/2023	Concurrence.

Other Consulting Parties	Correspondence Sent (date)	Response (date)	Comments
City of Lincoln Parks and Rec	02/07/2023	02/10/2023	No comments or concerns.
Nebraska Game and Parks Commission	02/07/2023	05/02/2023, no response	30 day comment period expired without receiving a response.
National Park Service	02/07/2023	02/23/2023	The NPS does not hold any land interests at this site, outside of the site remaining in public outdoor recreation. As you have already included the replacement parcel in the APE for SHPO/Tribal review, we do not have any additional comments pursuant to Section 106. NPS would like the FHWA/NDOT to work directly with Nebraska Game and Parks Commission on preparing a conversion of use

			package for NPS's review and approval. NPS will be adopting the NEPA completed by FHWA on the replacement parcel for our action.
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#### Area of Potential Effects (APE)

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Project Package, Enclosure 1, Figure 2).

#### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Project Package, Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

**APE considered is consistent with 36 CFR 800.16(d) – (Y/N): Y**

#### Summary of Archeological Investigations

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Project Package, Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

There are no historic archeological properties within the APE.

#### Summary of Architectural / Structural Investigations

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in the Project Package, Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by NDOT pursuant to 23 USC 326 and the First Renewed Memorandum of Understanding dated September 17, 2021, and executed by FHWA and NDOT.

This undertaking has been reviewed under the programmatic agreement entitled Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Transportation to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska (February 2023) and meets the requirements to be considered a Tier II Project.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

Melissa Dirr Gengler, Architectural Historian and President of HRG, investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Project Package, Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

#### Proposed Property Acquisitions

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

#### Section 106 Supplemental Evaluation – Section 6f Mitigation

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Project Package, Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Project Package, Enclosure 3). No historic properties were identified expanded APE.

There are no historic architectural / structural properties identified in the direct, indirect or expanded APE.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by NDOT pursuant to 23 USC 326 and the First Renewed Memorandum of Understanding dated September 17, 2021, and executed by FHWA and NDOT.

This undertaking has been reviewed under the programmatic agreement entitled Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Transportation to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska (February 2023) and meets the requirements to be considered a Tier II Project.

**Historic Properties Identified Within APE (leave blank if none):**

Property	ROW Needed? (Specify Type & Amount)

**Sensitive Areas (leave blank if none):**

Property	Address	STA	MM - MM

**Provide narrative to support *no historic property affected* finding of effect**

No historic properties were identified within the direct, indirect or expanded APEs.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by NDOT pursuant to 23 USC 326 and the First Renewed Memorandum of Understanding dated September 17, 2021, and executed by FHWA and NDOT.

This undertaking has been reviewed under the programmatic agreement entitled Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Transportation to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska (February 2023) and meets the requirements to be considered a Tier II Project.



**From:** [Pace, Brandon L](#)  
**To:** [NDOT Section106](#)  
**Cc:** [Stannard, Sarah E](#); [Johnson, Erin L](#); [Jones, Hannah](#); [NPS MWRO LWCF Compliance](#)  
**Subject:** RE: [EXTERNAL] FW: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment  
**Date:** Thursday, February 23, 2023 2:54:03 PM

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Good Afternoon Stacy,

The NPS does not hold any land interests at this site, outside of the site remaining in public outdoor recreation. As you have already included the replacement parcel in the APE for SHPO/Tribal review, we do not have any additional comments pursuant to Section 106. NPS would like the FHWA/NDOT to work directly with Nebraska Game and Parks Commission on preparing a conversion of use package for NPS's review and approval. NPS will be adopting the NEPA completed by FHWA on the replacement parcel for our action.

Please let me know if you have any further questions, otherwise you're in good hands with Hannah and Erin.

Best,

Brandon Pace  
Environmental Compliance Manager / Outdoor Recreation Planner  
NPS Regional Office, Interior Regions 6, 7 and 8  
Land & Water Conservation Fund (LWCF)  
12795 West Alameda Parkway  
Suite #138  
Denver, CO 80225-2739  
Tel: (Office) 303-969-2753 (Cell) 315-529-3494

---

**From:** Johnson, Erin L <erin.L.johnson@nebraska.gov>  
**Sent:** Thursday, February 23, 2023 1:09 PM  
**To:** Pace, Brandon L <brandon\_pace@nps.gov>; Stannard, Sarah E <Sarah\_Stannard@nps.gov>  
**Subject:** [EXTERNAL] FW: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Erin Johnson  
Recreation Planner – Planning & Programming  
Nebraska Game & Parks Commission  
402-471-5513  
[erin.l.johnson@nebraska.gov](mailto:erin.l.johnson@nebraska.gov)



---

**From:** Jones, Hannah <[hannah.jones@nebraska.gov](mailto:hannah.jones@nebraska.gov)>  
**Sent:** Tuesday, February 7, 2023 2:24 PM  
**To:** Johnson, Erin L <[erin.l.johnson@nebraska.gov](mailto:erin.l.johnson@nebraska.gov)>  
**Subject:** FW: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

## Hannah Jones

Assistant Division Administrator | Planning & Trails | Planning & Programming Division  
Nebraska Game & Parks Commission

2200 N. 33<sup>rd</sup> Street | Lincoln, NE 68503 | 402.471.5424

"Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers." – Heather Imboden

---

**From:** NDOT Section106 <[NDOT.Section106@nebraska.gov](mailto:NDOT.Section106@nebraska.gov)>  
**Sent:** Tuesday, February 7, 2023 11:59 AM  
**To:** [Brandon.pace@nps.gov](mailto:Brandon.pace@nps.gov)  
**Cc:** [sarah.Stannard@nps.gov](mailto:sarah.Stannard@nps.gov); Jones, Hannah <[hannah.jones@nebraska.gov](mailto:hannah.jones@nebraska.gov)>  
**Subject:** FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

Dear Mr. Pace,

On behalf of the Federal Highway Administration (FHWA) please find attached information regarding the project referenced above for your review and comment. The Railroad Transportation Safety District proposes to construct this undertaking in Lincoln, Nebraska. The Federal Highway Administration (FHWA) is the lead Federal agency and is the process of completing and Environmental Assessment (EA).

No historic properties were identified within the area of potential effects (APE) considered and FHWA has made a project effects determination of *no historic properties affected*.

Under Section 106 of the National Historic Preservation Act of 1966, as amended, FHWA invites your comment on the National Register of Historic Places (NRHP) eligibility determinations as well as the project effects determination of no historic properties affected.

If you have any comments or concerns, you may respond to this email, or direct them to Dillon Dittmer at [dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)

Thank you for your time,  
Stacy Stupka

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
NEBRASKA DEPARTMENT OF TRANSPORTATION  
1500 Nebraska Parkway | Lincoln, NE | 68509-4759  
402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
she/her/hers



Jim Pillen, Governor

2/7/2023

Brandon Pace  
National Park Service  
PO Box 25287  
Denver, CO 0

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Brandon Pace,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a re-aligned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup> Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)



The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

Vicki Kramer, Director

**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**PHONE** 402-471-4567

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[dot.nebraska.gov](http://dot.nebraska.gov)

The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

Vicki Kramer, Director

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Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



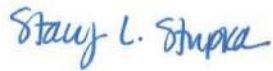
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



**From:** [Paul D. Barnes](#)  
**To:** [Stupka, Stacy](#)  
**Subject:** Re: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment  
**Date:** Friday, February 10, 2023 8:25:42 AM

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Stacy:

We have reviewed your determination and concur with your findings.

Thank you,  
Paul

---

**From:** Stupka, Stacy <[stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)>  
**Sent:** Tuesday, February 7, 2023 1:28 PM  
**To:** Paul D. Barnes <[PBarnes@lincoln.ne.gov](mailto:PBarnes@lincoln.ne.gov)>  
**Subject:** FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

Dear Mr. Barnes,

On behalf of the Federal Highway Administration (FHWA) please find attached information regarding the project referenced above for your review and comment. The Railroad Transportation Safety District proposes to construct this undertaking in Lincoln, Nebraska. The Federal Highway Administration (FHWA) is the lead Federal agency and is the process of completing and Environmental Assessment (EA).

No historic properties were identified within the area of potential effects (APE) considered and FHWA has made a project effects determination of *no historic properties affected*.

Under Section 106 of the National Historic Preservation Act of 1966, as amended, FHWA invites your comment on the National Register of Historic Places (NRHP) eligibility determinations as well as the project effects determination of no historic properties affected.

If you have any comments or concerns, you may respond to this email, or direct them to Dillon Dittmer at [dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)

Thank you for your time,  
Stacy Stupka

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
NEBRASKA DEPARTMENT OF TRANSPORTATION  
1500 Nebraska Parkway | Lincoln, NE | 68509-4759  
402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
she/her/hers

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Jim Pillen, Governor

2/7/2023

Paul Barnes  
Long Range Planning Manager  
City of Lincoln CLG  
555 S 10th St, Ste 213 Lincoln, NE  
68508

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Paul Barnes,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

Vicki Kramer, Director

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PO Box 94759  
Lincoln, NE 68509-4759

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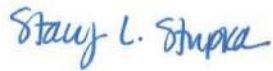
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



**From:** [JJ Yost](#)  
**To:** [NDOT Section106](#); [dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)  
**Cc:** [Robert J. Bartja](#)  
**Subject:** RE: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment  
**Date:** Friday, February 10, 2023 4:44:51 PM

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Stacy, Dillon,

Just a quick message to let you know I received the message below, I have reviewed the information and do not have any comments or concerns at this time. All looks good from my perspective.

Thank you, J.J.

J.J. Yost, Planning and Facilities Manager  
Lincoln Parks and Recreation  
3131 O Street, Suite 300  
Lincoln, NE 68510

---

**From:** NDOT Section106 <[NDOT.Section106@nebraska.gov](mailto:NDOT.Section106@nebraska.gov)>  
**Sent:** Tuesday, February 07, 2023 12:18 PM  
**To:** JJ Yost <[jjyost@lincoln.ne.gov](mailto:jjyost@lincoln.ne.gov)>  
**Subject:** FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

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Thank you for your time,  
Stacy Stupka

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
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402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
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Jim Pillen, Governor

2/7/2023

JJ Yost  
Parks & Recreation  
City of Lincoln Parks and Recreation  
3131 O Street, Suite 300  
Lincoln, NE 68510

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

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The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

Vicki Kramer, Director

**Department of Transportation**

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- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
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The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

Vicki Kramer, Director

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**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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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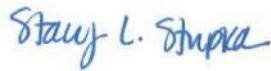
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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**From:** [Sunshine Bear](#)  
**To:** [NDOT Section106](#)  
**Subject:** Re: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment  
**Date:** Wednesday, March 15, 2023 4:07:43 PM

---

Thank you for your Section 106 correspondence regarding this project. The location is land our ancestors have lived on or passed through. During ground disturbance activities we are aware that if the ground has already been disturbed, that findings may be minimal to zero. In any case if anything is found please contact me immediately. My information is below. Let me know if you have any questions.

Respectfully,

*Sunshine Thomas-Bear*

*Wihokiri Wiga*

Cultural Preservation Director  
THPO Office/Angel De Cora Museum  
Little Priest Tribal College - Thunder Clan Building  
601 E. College Road  
Winnebago, NE 68071  
(402) 922-2631 Cell  
[sunshine.bear@winnebagotribe.com](mailto:sunshine.bear@winnebagotribe.com)

**“Just because something works doesn’t mean it can’t be improved.”**

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**From:** NDOT Section106 <[NDOT.Section106@nebraska.gov](mailto:NDOT.Section106@nebraska.gov)>  
**Sent:** Tuesday, February 7, 2023 12:53 PM  
**To:** Sunshine Bear <[sunshine.bear@winnebagotribe.com](mailto:sunshine.bear@winnebagotribe.com)>  
**Subject:** FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

Dear Sunshine,  
I hope you are doing well today.

On behalf of the Federal Highway Administration (FHWA) please find attached information regarding the project referenced above for your review and comment. The Railroad Transportation Safety District proposes to construct this undertaking in Lincoln, Nebraska. The Federal Highway Administration (FHWA) is the lead Federal agency and is the process

of completing and Environmental Assessment (EA).

No historic properties were identified within the area of potential effects (APE) considered and FHWA has made a project effects determination of *no historic properties affected*.

Under Section 106 of the National Historic Preservation Act of 1966, as amended, FHWA invites your comment on the National Register of Historic Places (NRHP) eligibility determinations as well as the project effects determination of no historic properties affected.

If you have any comments or concerns, you may respond to this email, or direct them to Dillon Dittmer at [dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)

Thank you for your time,  
Stacy Stupka

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
NEBRASKA DEPARTMENT OF TRANSPORTATION  
1500 Nebraska Parkway | Lincoln, NE | 68509-4759  
402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
she/her/hers

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Jim Pillen, Governor

2/7/2023

Sunshine Thomas-Bear  
Tribal Historic Preservation Officer  
Winnebago Tribe of Nebraska  
601 E. College Dr.  
Winnebago, NE 68071

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Sunshine Thomas-Bear,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup> Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



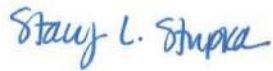
### Project Effects Determination

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



**From:** [NDOT Section106](#)  
**To:** [Teanna Limpy](#); [NDOT Section106](#)  
**Cc:** [dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)  
**Subject:** RE: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment  
**Date:** Tuesday, April 25, 2023 12:53:00 PM  
**Attachments:** [4174\\_001.pdf](#)

---

Hi Teanna,

I apologize for the delay in my response, I've been unexpectedly out of the office.

Please find attached copies of the site forms for those archeological sites discussed as being located near the area of potential effects (APE). No archeological sites were identified within the APE.

If you have any questions, please don't hesitate to let me know.

Thank you,  
Stacy

---

**From:** Teanna Limpy <[teanna.limpy@cheyennenation.com](mailto:teanna.limpy@cheyennenation.com)>  
**Sent:** Friday, March 10, 2023 5:53 PM  
**To:** NDOT Section106 <[NDOT.Section106@nebraska.gov](mailto:NDOT.Section106@nebraska.gov)>  
**Subject:** RE: FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

Hello:

I have read the letter and preliminary information. However, there is no information regarding what types of sites listed are. Please provide more information on the site types and/or site forms.

Thanks,

***Teanna Limpy, Director  
Tribal Historic Preservation Office  
Northern Cheyenne Tribe  
14 E. Medicine Lodge Drive  
PO Box 128  
Lame Deer, MT. 59043  
Office: 406-477-4838/8113  
Direct: 406-477-4839  
Work Cell: 406-740-0420***

---

**From:** NDOT Section106 [<mailto:NDOT.Section106@nebraska.gov>]  
**Sent:** Tuesday, February 07, 2023 11:03 AM  
**To:** Teanna Limpy ([teanna.limpy@cheyennenation.com](mailto:teanna.limpy@cheyennenation.com)) <[teanna.limpy@cheyennenation.com](mailto:teanna.limpy@cheyennenation.com)>  
**Subject:** FHWA project\_33rd/Cornhusker Viaduct, Lincoln\_Project No: LCLC-5233(4), CN 13294\_request for review and comment

Dear Ms. Limpy,

On behalf of the Federal Highway Administration (FHWA) please find attached information regarding the project referenced above for your review and comment. The Railroad Transportation Safety District proposes to construct this undertaking in Lincoln, Nebraska. The Federal Highway Administration (FHWA) is the lead Federal agency and is the process of completing and Environmental Assessment (EA).

No historic properties were identified within the area of potential effects (APE) considered and FHWA has made a project effects determination of *no historic properties affected*.

Under Section 106 of the National Historic Preservation Act of 1966, as amended, FHWA invites your comment on the National Register of Historic Places (NRHP) eligibility determinations as well as the project effects determination of no historic properties affected.

If you have any comments or concerns, you may respond to this email, or direct them to Dillon Dittmer at [dillon.dittmer@dot.gov](mailto:dillon.dittmer@dot.gov)

Thank you for your time,  
Stacy Stupka

Stacy Stupka, Cultural Resources Manager/Section 106 Specialist  
NEBRASKA DEPARTMENT OF TRANSPORTATION  
1500 Nebraska Parkway | Lincoln, NE | 68509-4759  
402.479.3879 | [stacy.stupka@nebraska.gov](mailto:stacy.stupka@nebraska.gov)  
she/her/hers



2/7/2023

Teanna Limpy  
Tribal Historic Preservation Officer  
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana  
PO Box 128  
Lame Deer, MT 59043

Jim Pillen, Governor

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Teanna Limpy,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

Vicki Kramer, Director

**Department of Transportation**

**MAILING ADDRESS**  
PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**  
1500 Nebraska Parkway  
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**PHONE** 402-471-4567  
**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

Vicki Kramer, Director

**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

Vicki Kramer, Director

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Lincoln, NE 68509-4759

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Lincoln, NE 68502

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[dot.nebraska.gov](http://dot.nebraska.gov)

properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

Vicki Kramer, Director

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The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



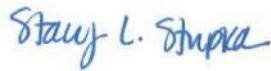
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Jordan Dresser  
Chairman  
Arapaho Tribe of the Wind River Reservation, Wyoming  
P.O. Box 396  
Ft Washaki, WY 82514

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Jordan Dresser,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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##### **PHONE** 402-471-4567

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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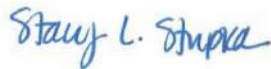
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

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##### **MAILING ADDRESS**

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Lincoln, NE 68509-4759

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Jim Pillen, Governor

2/7/2023

Ben Ridgley  
Director, Tribal Historic Preservation Office  
Arapaho Tribe of the Wind River Reservation, Wyoming  
PO Box 396  
Ft Washaki, WY 82514

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Ben Ridgley,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

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Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

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The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

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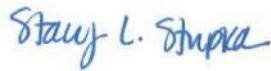
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Crystal C'Bearing  
Deputy Director, Tribal Historic Preservation Office  
Arapaho Tribe of the Wind River Reservation, Wyoming  
PO Box 396  
Ft Washaki, WY 82514

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Crystal C'Bearing,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**Department of Transportation**

**MAILING ADDRESS**

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Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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Lincoln, NE 68509-4759

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

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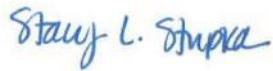
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#### **Department of Transportation**

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1500 Nebraska Parkway  
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##### **PHONE** 402-471-4567

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[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Max Bear  
Tribal Historic Preservation Officer  
Cheyenne and Arapaho Tribes, Oklahoma  
700 Black Kettle Blvd  
Concho, OK 73022

**Project No: LCLC-5233(4), CN 13294  
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RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

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As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

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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](mailto:NDOT.ContactUs@nebraska.gov)

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An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

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Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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Lincoln, NE 68509-4759

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##### **PHONE 402-471-4567**

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

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### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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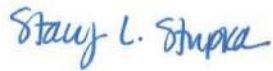
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Reggie Wassana  
Governor  
Cheyenne and Arapaho Tribes, Oklahoma  
100 Red Moon Cr (PO Box 167)  
Concho, OK 73022

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Reggie Wassana,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**MAILING ADDRESS**

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Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

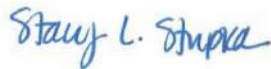
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

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PO Box 94759  
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1500 Nebraska Parkway  
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[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Lance Foster  
Tribal Historic Preservation Officer  
Iowa Tribe of Kansas and Nebraska  
3345 B, Thrasher Rd  
White Cloud, KS 66094

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Lance Foster,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**Department of Transportation**

**MAILING ADDRESS**  
PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**  
1500 Nebraska Parkway  
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**PHONE** 402-471-4567  
**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

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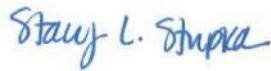
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Sincerely,



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#### **Department of Transportation**

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PO Box 94759  
Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Alan Kelley  
Deputy THPO  
Iowa Tribe of Kansas and Nebraska  
3345 Thrasher Rd  
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**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Alan Kelley,

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**Project Description**

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The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**Department of Transportation**

**MAILING ADDRESS**

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**PHYSICAL ADDRESS**

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

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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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

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### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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##### **MAILING ADDRESS**

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Lincoln, NE 68509-4759

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##### **PHONE 402-471-4567**

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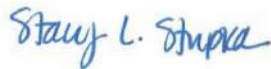
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

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**PHONE** 402-471-4567

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Jim Pillen, Governor

2/7/2023

Timothy Rhodd  
Chairman  
Iowa Tribe of Kansas and Nebraska  
3345 B, Thrasher Rd  
White Cloud, KS 66094

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Timothy Rhodd,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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Lincoln, NE 68509-4759

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
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### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



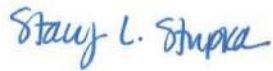
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





2/7/2023

Donna Fisher  
President  
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana  
PO Box 128  
Lame Deer, MT 59043

Jim Pillen, Governor

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Donna Fisher,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**Department of Transportation**

**MAILING ADDRESS**  
PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**  
1500 Nebraska Parkway  
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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

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**PHONE** 402-471-4567

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[dot.nebraska.gov](http://dot.nebraska.gov)



The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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#### **Department of Transportation**

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Lincoln, NE 68509-4759

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

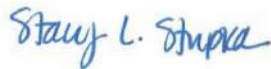
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

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Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
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cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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

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[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Thomas Brings  
Tribal Historic Preservation Officer  
Oglala Sioux Tribe  
PO Box 2070  
Pine Ridge, SD 57770

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Thomas Brings,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

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**Project Description**

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The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

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**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)



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The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

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Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

Vicki Kramer, Director

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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

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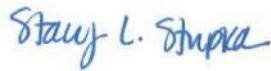
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

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1500 Nebraska Parkway  
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##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Kevin Killer  
President  
Oglala Sioux Tribe  
PO Box 2070  
Pine Ridge, SD 57770

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Kevin Killer,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**MAILING ADDRESS**

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

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The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

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### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

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#### **Department of Transportation**

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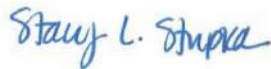
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No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



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stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Everett Baxter Jr.  
Chairman  
Omaha Tribe of Nebraska  
PO Box 368  
Macy, NE 68039

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Everett Baxter Jr.,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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Lincoln, NE 68509-4759

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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Lincoln, NE 68509-4759

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
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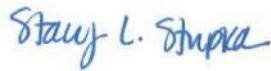
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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Jim Pillen, Governor

2/7/2023

Jarell Grant  
Tribal Historic Preservation Officer  
Omaha Tribe of Nebraska  
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**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

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**MAILING ADDRESS**  
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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

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### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

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NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

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Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

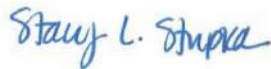
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

John R. Shotton  
Chairman  
Otoe-Missouria Tribe of Indians, Oklahoma  
8151 Hwy 177  
Red Rock, OK 74651

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear John R. Shotton,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup> Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

##### **PHONE** 402-471-4567

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Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



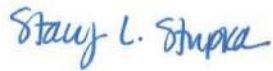
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No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

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Sincerely,



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cc: Dillon Dittmer, FHWA  
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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](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Elsie Whitehorn  
Tribal Historic Preservation Officer  
Otoe-Missouria Tribe of Indians, Oklahoma  
8151 Hwy 177  
Red Rock, OK 74651

**Project No: LCLC-5233(4), CN 13294  
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RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Elsie Whitehorn,

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**Project Description**

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The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup> Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
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- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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Lincoln, NE 68509-4759

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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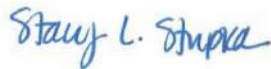
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

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##### **MAILING ADDRESS**

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Lincoln, NE 68509-4759

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Jim Pillen, Governor

2/7/2023

Walter Echo-Hawk  
President  
Pawnee Nation of Oklahoma  
PO Box 470  
Pawnee, OK 74058

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Walter Echo-Hawk,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

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Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



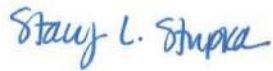
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Matt Reed  
Tribal Historic Preservation Officer  
Pawnee Nation of Oklahoma  
PO Box 470  
Pawnee, OK 74058

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Matt Reed,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**PHYSICAL ADDRESS**  
1500 Nebraska Parkway  
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[dot.nebraska.gov](http://dot.nebraska.gov)

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

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Lincoln, NE 68509-4759

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The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

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### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

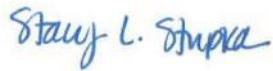
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No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

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On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
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cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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#### **Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Stacy Laravie  
Tribal Historic Preservation Officer  
Ponca Tribe of Nebraska  
PO Box 288  
Niobrara, NE 68760

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Stacy Laravie,

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

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The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
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- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
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- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

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The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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PO Box 94759  
Lincoln, NE 68509-4759

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##### **PHONE 402-471-4567**

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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Lincoln, NE 68509-4759

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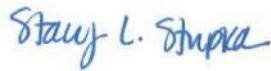
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

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**PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Candace Schmidt  
Chairwoman  
Ponca Tribe of  
Nebraska PO Box 288  
Niobrara, NE 68760

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Candace Schmidt,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**Department of Transportation**

**MAILING ADDRESS**  
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Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**  
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**PHONE** 402-471-4567  
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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

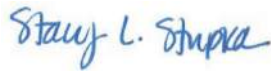
### Project Effects Determination

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Scott Herman  
President  
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South  
Dakota PO Box 430  
Rosebud, SD 57570

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Scott Herman,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)



The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

**PHONE** 402-471-4567

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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#### **Department of Transportation**

##### **MAILING ADDRESS**

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Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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#### **Department of Transportation**

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PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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### **Archeological Evaluation**

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The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

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### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



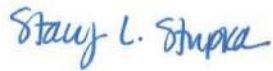
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Ione Quigley  
Tribal Historic Preservation Officer  
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota  
PO Box 809  
Rosebud, SD 57570

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Ione Quigley,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

Vicki Kramer, Director

**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

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When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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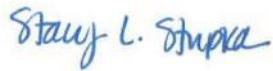
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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Jim Pillen, Governor

2/7/2023

Gary Bahr  
Tribal Historic Preservation Officer  
Sac & Fox Nation of Missouri in Kansas and Nebraska  
305 North Main St.  
Reserve, KS 66434

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Gary Bahr,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
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### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

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#### **Department of Transportation**

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1500 Nebraska Parkway  
Lincoln, NE 68502

##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



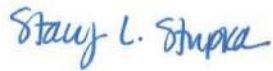
### Project Effects Determination

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Tiauna Carnes  
Chairperson  
Sac & Fox Nation of Missouri in Kansas and Nebraska  
305 North Main St.  
Reserve, KS 66434

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Tiauna Carnes,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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Lincoln, NE 68509-4759

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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Lincoln, NE 68509-4759

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

Vicki Kramer, Director

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Lincoln, NE 68509-4759

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

Vicki Kramer, Director

#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

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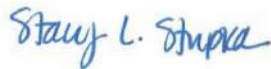
### **Project Effects Determination**

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Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
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cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

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#### **Department of Transportation**

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PO Box 94759  
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##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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Jim Pillen, Governor

2/7/2023

Jon Eagle  
Tribal Historic Preservation Officer  
Standing Rock Sioux Tribe of North & South Dakota  
PO Box D  
Fort Yates, ND 58538

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Jon Eagle,

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**Department of Transportation**

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- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
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### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

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Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

##### **PHONE 402-471-4567**

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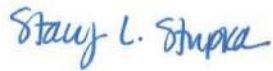
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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##### **PHONE** 402-471-4567

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Mike Faith  
Chairperson  
Standing Rock Sioux Tribe of North & South Dakota  
PO Box D  
Fort Yates, ND 58538

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Mike Faith,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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**Department of Transportation**

**MAILING ADDRESS**  
PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**  
1500 Nebraska Parkway  
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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**Department of Transportation**

**MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

**PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
Lincoln, NE 68502

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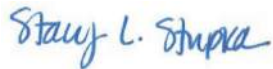
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Sincerely,



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Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

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Vicki Kramer, Director

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Jim Pillen, Governor

2/7/2023

Allen Demaray  
Tribal Historic Preservation Officer  
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota  
404 Frontage Road  
New Town, ND 58763

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Allen Demaray,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)



The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
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- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
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- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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##### **PHONE 402-471-4567**

**EMAIL** [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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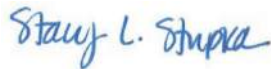
### Project Effects Determination

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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#### Department of Transportation

##### MAILING ADDRESS

PO Box 94759  
Lincoln, NE 68509-4759

##### PHYSICAL ADDRESS

1500 Nebraska Parkway  
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##### PHONE 402-471-4567

EMAIL [NDOT.ContactUs@nebraska.gov](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Mark Fox  
Chairman  
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota  
404 Frontage Road  
New Town, ND 58763

**Project No: LCLC-5233(4), CN 13294  
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This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

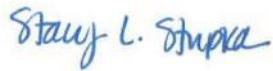
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Victoria Kitcheyan  
Chairwoman  
Winnebago Tribe of Nebraska  
PO Box 687  
Winnebago, NE 68071

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Victoria Kitcheyan,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35<sup>th</sup> Street. North 33<sup>rd</sup> Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33<sup>rd</sup> Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31<sup>st</sup> Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a realigned N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6), N. 33<sup>rd</sup>. Street and Huntington Avenue, N 33<sup>rd</sup> Street and Adams Street, and N. 35<sup>th</sup> Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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**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](mailto:NDOT.ContactUs@nebraska.gov)

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

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### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)



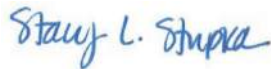
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

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Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
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cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Robert Flying Hawk  
Chairman  
Yankton Sioux Tribe of South Dakota  
PO Box 1153  
Wagner, SD 57380

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Robert Flying Hawk,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

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The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33<sup>rd</sup> Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33<sup>rd</sup> Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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](mailto:NDOT.ContactUs@nebraska.gov)

The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

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The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
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- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### Visual APE

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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##### **PHONE** 402-471-4567

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

### **Architectural / Structural Evaluation**

Melissa Dirr Gengler, Architectural Historian and President of Historic Resources Group Inc., investigated this project using the Nebraska State Historic Preservation Office (SHPO) inventory and site files, Lancaster County Tax Assessor records, historic maps, and other primary and secondary sources. Identification and evaluation efforts documented properties that are 45 years old or older. All properties within the APE were evaluated relative to eligibility for listing in the NRHP. Gengler established pertinent historic contexts/areas of significance, such as architecture, education, commercial and industrial development, community planning and transportation. To be eligible for NRHP listing, properties must retain sufficient physical integrity to convey NRHP significance.

Using this information to frame the investigations, Gengler identified and evaluated 173 properties within the APE, considering both individual NRHP eligibility as well as whether any historic districts are present. Of these properties, 77 did not meet minimum survey requirements due to age; Gengler documented these by address of the enclosed report (Enclosure 1, Appendix A). During investigations, Gengler grouped like resources with like resources and supplied overarching descriptions of methodologies, resource types and NRHP evaluations. No individually eligible historic properties were identified; nor were any eligible

NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative and these detour routes are not included in the APE for direct effects. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Archeological Evaluation**

Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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#### **Department of Transportation**

##### **MAILING ADDRESS**

PO Box 94759  
Lincoln, NE 68509-4759

##### **PHYSICAL ADDRESS**

1500 Nebraska Parkway  
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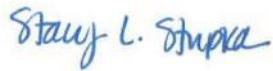
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)





Jim Pillen, Governor

2/7/2023

Galena Drapeau  
Tribal Historic Preservation Officer  
Yankton Sioux Tribe of South Dakota  
PO Box 1153  
Wagner, SD 57380

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Galena Drapeau,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33<sup>rd</sup> Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33<sup>rd</sup> Street and Adams Street.

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NRHP districts identified. Building on conversations with now retired Lincoln/Lancaster County Historic Preservation Planner, Ed Zimmer, Gengler determined that the boundaries of a potential historic district associated with the development of the University of Nebraska-Lincoln's East Campus would not extend beyond the historic campus quad, which is located well south of the APE defined for this undertaking.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic

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#### **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](mailto:NDOT.ContactUs@nebraska.gov)

[dot.nebraska.gov](http://dot.nebraska.gov)

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Historic Resources Group (HRG) conducted an archeological evaluation of the APE (Enclosure 1, Attachment A). Archeological resources were included in the previous Planning and Environmental Linkages (PEL) study. As part of that study a literature search was conducted that identified three archeological surveys that assigned a total of four archeological site numbers to properties within that previous study area. One of these archeological sites, 25LC106 was determined not eligible for listing in the NRHP as a result of compliance activities for unrelated undertakings. The three archeological sites, 25LC90, 25LC99, and 25LC506 remain unevaluated relative to NRHP eligibility.

The APE for the undertaking as currently defined has been refined based on the Preferred Alternative and the previously identified archeological sites are not located within the direct archeological APE for the undertaking. Much of the archeological APE is located within an industrial and urbanized area which has been disturbed by previous construction. Those areas that are undisturbed have been subject to previous archeological investigations completed in support of unrelated undertakings. The level of effort for those investigations is sufficient when considering the current undertaking.

These archeological sites are located within the APE for visual effects associated with construction of the proposed elevated roadway. 25LC106 is not eligible for listing in the NRHP due to a lack of NRHP significance under Criterion D. Archeological sites 25LC90, 25LC99 and 25LC506 remain unevaluated for NRHP eligibility, but they will not be affected by the project as proposed.

There are no NRHP eligible archeological properties within the direct APE. There is no potential for effects to those unevaluated archeological properties in the visual APE.

### **Proposed Property Acquisitions**

To accommodate the proposed construction of the grade separation at North 33rd Street and Cornhusker Highway, a total of 16 full property acquisitions have been identified. Among these 16 properties are 11 commercial or industrial properties, two residential buildings, and three City of Lincoln owned buildings. Three of the 16 properties include lots with no improvements (vacant lots). None of the properties are recommended NRHP eligible, either for historic integrity issues or because of age. A photo and brief discussion of each proposed full acquisition is provided in Attachment B of the enclosed report, along with a map identifying their location.

### **Section 106 Supplemental Evaluation – Section 6f Mitigation**

Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act (LWCF) funds under the State Assistance program be coordinated with the National Park Service. Portions of 34<sup>th</sup> and Madison Park received funding via Section 6(f) LWCF. Impacts to LWCF property requires mitigation through the purchase of replacement property for recreational use consistent with Section 6(f) of the LWCF. The proposed 6f mitigation site, depicted in Attachment 3, is located outside the APE originally considered, therefore, in February 2023, the APE was expanded, and a Supplemental Section 106 Evaluation was completed (Enclosure 3). No historic properties were identified expanded APE.

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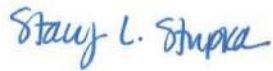
### **Project Effects Determination**

No historic properties were identified within the direct APE or within the visual APE. FHWA has determined that no historic properties will be affected by the project as proposed and has made a project effects determination of *no historic properties affected*.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (February 2023) and meets the requirements to be considered a Tier II Project.

On behalf of FHWA, NDOT is providing this documentation for your review and invites your comment on these NRHP eligibility recommendations and the project effects determination. We respectfully request that you notify us of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Stacy L. Stupka  
Section 106 Specialist  
402-479-3879  
stacy.stupka@nebraska.gov

cc: Dillon Dittmer, FHWA  
Consulting Parties, see Enclosure 2

ENCLOSURES

Vicki Kramer, Director

#### **Department of Transportation**

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PO Box 94759  
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1500 Nebraska Parkway  
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Jim Pillen, Governor

2/7/2023

Hannah Jones  
Nebraska Game and Parks Commission  
2200 N 33rd ST  
Lincoln, NE 68503

**Project No: LCLC-5233(4), CN 13294  
33<sup>rd</sup>/Cornhusker Viaduct, Lincoln  
RTSD B.U. No 5919 City Project No. 702614  
Lancaster County  
Cultural Resources Evaluation**

Dear Hannah Jones,

In cooperation with the Nebraska Department of Transportation (NDOT), the Railroad Transportation Safety District (RTSD) proposes to construct the project referenced above using funds from the Federal Highway Administration (FHWA). This project is located in Lancaster County in the area of North 33<sup>rd</sup> Street and Cornhusker Highway (US-6) (Enclosure 1, Figure 1). Due to FHWA involvement, the proposed project is a federal undertaking that must be reviewed under Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800) requiring federal agencies to consider and consult about the effects of proposed projects on historic properties. FHWA is the lead federal agency.

An evaluation of the potential for cultural resources, both archeology and architectural/structural, is included below [and in enclosures]. FHWA invites your tribe or agency to participate as a consulting party regarding this undertaking. Please review this document on cultural resources for the project mentioned above as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800. Consulting parties are identified in Enclosure 2.

**Project Description**

The Preferred Alternative would construct a new viaduct on a new alignment to create a direct connection over the railroad tracks near N. 33rd Street and Cornhusker Highway (US 6) (Enclosure 1, Figure 1). The Preferred Alternative would close two at-grade railroad crossings: N. 33rd Street and Adams Street.

The Preferred Alternative includes the expansion of Cornhusker Highway (US 6) to six lanes with turn lanes from Deadmans Run to just east of N. 35th Street. North 33rd Street would be on a new alignment that includes two bridges over the Deadmans Run channel and the BNSF railroad tracks. The realigned N 33rd Street connects at an intersection with Cornhusker Highway (US 6) near the existing N 31st Street and Cornhusker intersection. Intersections at Cornhusker Highway (US 6) and State Fair Park Drive, a re-aligned N. 33rd Street and Cornhusker Highway (US 6), N. 33rd. Street and Huntington Avenue, N 33rd Street and Adams Street, and N. 35th Street and Cornhusker Highway (US 6) would operate as full access intersections.

The Preferred Alternative includes the realignment of Adams Street. Adams Street, no longer crossing the railroad tracks, would be extended southwest running roughly parallel to the railroad tracks, connecting to N. 33rd Street south of the railroad tracks and Cornhusker Highway (US 6). The new intersection would be located on the south end of the N. 33rd Street bridge and would be entirely elevated and supported by embankments, walls, or other structures.

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The Preferred Alternative would maintain the present traffic flow on Cornhusker Highway (US 6) but would create a new access route for Adams Street via N 33rd Street, south of the BNSF railroad tracks.

As a part of the Preferred Alternative, the existing at-grade crossing at N. 44th Street would remain open to vehicular and pedestrian traffic; however, improvements would be made to the crossing to bring it into compliance with ADA guidelines. Improvements would include the addition of detectable warning panels and ADA compliant slopes and extension of an 8-foot-wide multiuse path connecting from approximately Gladstone Street on the south and extending north to Colfax Circle. The project would construct an 8-foot-wide, approximately 670 foot long, multi-use path along the northside of Leighton Avenue right-of-way and extend to 33rd Street. This path would serve as a detour route for the John Dietrich Trail during construction and would remain in place upon project completion.

The newly constructed grade separated viaduct at N. 33rd and Adams Streets would include an 8-foot-wide sidewalk separated from traffic for pedestrians and bicycles. The Preferred Alternative would provide upgrades and enhance connectivity to the existing trail network by providing a reroute of the existing trail network. The trail would proceed under the newly constructed N 33rd Street bridge over Deadmans Run, cross over Deadmans Run on a dedicated trail bridge, run adjacent to Baldwin Avenue and south along Griffith Street to reconnect to the existing trail near Fleming Fields and Huntington Avenue.

The Preferred Alternative would include the installation of fencing along the BNSF rail corridor from approximately Deadmans Run to approximately N 36th Street with final locations and dimensions to be determined during final design in coordination with BNSF.

Additional side streets would be reconstructed to tie into the primary project elements and to maintain local connectivity, as follows:

- Huntington Avenue would be reconstructed on either side of the intersection of N 33rd Street to connect back to the existing road.
- N 31st Street would be reconstructed on the north side of Cornhusker Highway (US 6) where the newly aligned N 33rd Street meets at an intersection. Existing N 33rd Street would be reconstructed on the north and south sides of Cornhusker Highway (US 6) as well to connect back to the existing road.
- Existing N 33rd Street on the south side of Cornhusker Highway (US 6) would include the construction of a cul-de-sac just north of the BNSF railroad tracks to provide a turnaround for traffic near the closed at-grade railroad crossing.
- N 35th Street would be reconstructed on the north side of Cornhusker Highway (US 6). N 36th Street would be reconstructed on the south side of Adams Street.
- Griffith Street would be reconstructed between Huntington Avenue and Baldwin Avenue.
- A new local 33-foot-wide roadway called Greenwood Street would be constructed between 31st Street and 33rd Street. It would include a five-foot sidewalk on the southside.
- A new local roadway called 33rd Avenue would reconnect Madison Avenue to Saint Paul Avenue and Baldwin Avenue on the east side of the newly realigned N 33rd Street bridge. These streets would no longer have direct access onto N 33rd Street. Baldwin Avenue on the west side of N 33rd Street would not reconnect with N 33rd Street and would include a new cul-de-sac for traffic to turnaround.

The project would include sidewalk and curb ramp improvements to meet ADA guidelines at the intersection of N 29th Street and Cornhusker Highway (US 6). The existing traffic signal at N 29th Street and Cornhusker Highway (US 6) would be upgraded due to the addition of another westbound left turn lane and westbound outside through lane. Traffic signals at N. 31st Street and Cornhusker and N. 35th Street and Cornhusker Highway.

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The project would include reconstruction of the storm sewer system, sanitary sewer system, water main system as well as traffic signal and underground fiber-optic lines due to the impacts from the project. The project would include impacts to private utility companies.

Construction of the project would require sections of N 33rd Street, Adams Street, and the intersection of N 33rd Street and Huntington Avenue to be closed to traffic. Detours would be required to reroute traffic due to the closure of N 33rd Street to construct the viaduct over Deadmans Run channel and the railroad tracks. The project would detour traffic onto roadways of the same, or higher functional roadway classification. No improvements would be made to detour routes as a part of the Preferred Alternative. Temporary detours would be required along sections of the 33rd Street, Huntington Avenue, and Dietrich Trails. Trail detours would use existing local roadways and sidewalks. No improvements would be required along any designated trail detour route.

### **Area of Potential Effects (APE)**

The Area of Potential Effect (APE) for Section 106 purposes is defined at Section 80016(d) in the regulations as the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be unique based on different types of effects caused by the undertaking. The APE (architectural/structural/archeological) for this undertaking encompasses an irregular area that includes a corridor beginning at approximately North 33rd Street and Merrill/East Campus Loop. It then continues north to Cornhusker Highway where it follows the Cornhusker corridor from North 27th Street to approximately North 48th Street. Here the APE crosses the highway and returns south/southwest toward North 27th Street (Enclosure 1, Figure 2).

### **Visual APE**

An additional APE for visual effects for the viaduct at the railway crossing has been identified as an area bounded approximately between North 27th to just west of North 39th on the east, and Leighton to the south to approximately Fremont Street to the north (Enclosure 1, Figure 2). This visual APE will aid in the assessment and evaluation of the effects of the elevated surface of the overpass on any historic properties should they be identified. Although not yet fully designed, this grade separation structure will not exceed 40 feet above the railroad track, but may include ancillary features (e.g., fencing, lighting) that may extend as high as 55 feet above the railroad track.

### **Methodology**

Historic Resources Group (HRG) completed identification and evaluation efforts; this work is summarized below and detailed in Enclosure 1.

HRG's report incorporated all architectural/structural resources within the APE for the undertaking as well as any potential for the presence of historic districts. The field investigation identified and documented all above ground resources within the APE that were historic (approximately 45 years old or older), listed in or eligible for listing in the National Register of Historic Places (NRHP), as well as properties previously surveyed by the Nebraska State Historic Preservation Office (SHPO), and the City of Lincoln Historic Preservation Commission. This area retains a mix of light industrial, commercial, residential, and educational properties.

Prior to field survey of all above ground resources 45 years old or older within the APE, an extensive site file search was conducted. Previously surveyed properties that are identified in the SHPO database were collected as well as those identified through the City of Lincoln (City). The City is a Certified Local Government (CLG) with a preservation commission and dedicated historic preservation planner. As such, the City can identify and list locally significant historic landmarks, conduct thematic studies, and inventory

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properties independently of the SHPO. Further, the SHPO archeologist was consulted to identify any existing archeological studies and/or archeological sites present within the APE.

Historic contextual information was gathered to support the development and themes within the APE. Resources such as city and county histories, survey reports, historic maps, and other published primary and secondary resources were consulted. University of Nebraska resources were also utilized to document the development of the built environment at East Campus. A brief history of the area's development and how it relates to the history of the City and Lancaster County is also included.

This history contributed to recommendations of NRHP eligibility for surveyed properties and created a framework to understand the development of the built environment. Following identification of previously documented architectural resources from existing survey files at both the City of Lincoln and SHPO and conducting contextual research, the field survey was conducted.

### **National Register Criteria for Evaluation**

When evaluating historic properties, the National Register of Historic Places (NRHP) is the primary device by which they are identified for consideration under Section 106 of the National Historic Preservation Act of 1966. Criteria for determinations of eligibility are set forth in 36 CFR Part 60.4 (70) and are described in National Register Bulletin How to Apply the National Register Criteria for Evaluation. For a property to be determined eligible it must retain a high degree of historic integrity and possess significance. Location, design, setting, materials, workmanship, feeling and association are the seven aspects of integrity defined by the NRHP. In general, most of the seven integrity aspects must be present for a property to convey historic significance. Historic significance may then be present in one of four categories: important historic events; significant people in history; significant architecture, design, or property type; and potential to yield important historic information. These integrity and significance issues are bolstered by the following field survey and archival research descriptions.

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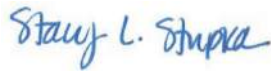
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