



Appendix H

NEPA/404 MERGE Coordination, Section 4(f), and Section 106 Correspondence



U.S. Department
of Transportation

**Federal Highway
Administration**

Nebraska Division Office
Federal Building, Room 220
100 Centennial Mall North
Lincoln, NE 68508-3851
Nebraska.FHWA@FHWA.DOT.GOV

December 17, 1999

NEBRASKA DIVISION

In Reply Refer To:
HRW-NE

Mr. Steve Anschutz
U.S. Fish and Wildlife Service
203 West Second Street
Grand Island, NE 68801

Dear Mr. Anschutz:

M-5244(3)
Integrating NEPA/404 Processing,
Concurrence in Alternatives Carried Forward for Environmental Impact Statement
Due: January 28, 2000

An agency scoping meeting was held on March 12, 1998, in Lincoln, Nebraska to discuss the subject project. The proposed project would involve transportation, storm water, and community improvement initiatives in the Antelope Valley area of Lincoln. The City of Lincoln, the University of Nebraska-Lincoln, the Lower Platte South Natural Resources District, and the Federal Highway Administration (FHWA) in cooperation with the US Army Corps of Engineers (COE) and the US Department of Housing and Urban Development, are preparing an environmental impact statement for the proposed improvements. A Purpose and Need statement was forwarded to all merge agencies on April 3, 1998.

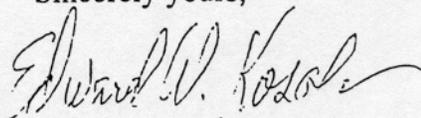
The NEPA/404 merge procedures provide for four written concurrence points during project development. These points are:

- Purpose and Need
- Alternatives Carried Forward
- Selected Alternatives
- Impact Minimization

Please review the enclosed preliminary draft Environmental Impact Statement. If your agency concurs in the statement, please sign the concurrence block below and return a signed copy of this letter to the Federal Highway Administration by **January 28, 2000**. We will assume you concur with the preliminary draft Environmental Impact Statement if we do not receive a written response by January 28, 2000, however, if you need additional time for review, please contact us prior to January 28 to discuss your needs.

If you have any questions or would like to discuss the project in more detail, please contact Ed Kosola at 402-437-5973.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Edward W. Kosola". The signature is fluid and cursive, with a long horizontal stroke at the end.

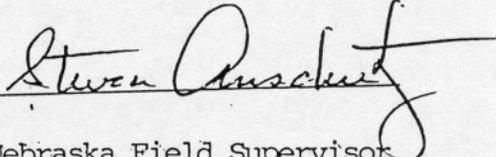
Edward W. Kosola
Realty Officer

Enclosure

JAN 18 2000

Concurrence: Alternatives Carried Forward

"We have reviewed the preliminary draft Environmental Impact Statement on project M-5244(3) and concur that it is satisfactory. The information provided to date is adequate and we agree that the project can be advanced to the next stage of project development."

Signed: 
Title: Nebraska Field Supervisor
Agency: U.S. Fish and Wildlife Service
Date: 14 Jan 00

JAN 28 2000

3

Concurrence: Alternatives Carried Forward

"We have reviewed the preliminary draft Environmental Impact Statement on project M-5244(3) and concur that it is satisfactory. The information provided to date is adequate and we agree that the project can be advanced to the next stage of project development."

Signed: Rex Amack
Title: Director
Agency: Game & Parks Commission
Date: 1/25/00

STATE OF NEBRASKA

FEB 03 2000



DEPARTMENT OF ENVIRONMENTAL QUALITY

Suite 400, The Atrium
1200 'N' Street
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Phone (402) 471-2186

February 2, 2000

Mike Johanns
Governor

Mr. Edward W. Kosola
Realty Officer
Federal Highway Administration
Federal Building, Room 220
100 Centennial Mall North
Lincoln, NE 68508-3851

RE: Concurrence in Alternatives Carried Forward for Environmental Impact Statement
Antelope Valley Area of Lincoln

Dear Mr. Kosola:

Our agency has reviewed the information you recently sent us regarding the above referenced environmental assessment.

The air quality program is unable to provide comment on the air quality impacts portion of the environmental impact statement. Air quality impact analysis reviews typically entail data validation and reviews of methodologies to determine if applicable portions of modeling regulation and guidance are adhered to. Model data was not submitted with the environmental impact statement; therefore, the air program is unable to complete its review. The Department requests that model input and output data be included in electronic format in future documents so that a more thorough review to ensure that model methodology comports to acceptable procedures and guidance.

The Department is encouraged that model selection was conducted in accordance with applicable provisions of Appendix W to 40 CFR Part 51 (Guideline on Air Quality Models). Please contact Bret Anderson at (402) 471-2189 if you have further questions.

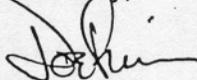
There are several active Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS; a U. S. EPA nation-wide database listing of sites known or suspected to have potential for hazardous waste/substance releases) sites in Lincoln, Nebraska. However, the sites are all known or suspected hazardous substances releases to ground water. Therefore, there were no Superfund program-related environmental impacts/concerns identified for this extensive road improvements/community development/construction project in Lincoln. If you have further questions, contact Wade Gregson at (402) 471-3377.

Excellent opportunity exists to improve aquatic life use of Antelope Creek by "daylighting" the creek. Nebraska Department of Environmental Quality would be interested in providing input as to how to maximize this potential water quality improvement in the "Draft Single Package". If you have further questions contact John Bender at (402) 471-4201.

Mr. Edward W. Kosola
February 2, 2000
Page 2

Please be advised that Nebraska has a Non-game and Endangered Species Conservation Act of 1975 being managed by Nebraska Game and Parks Commission. We recommend that you add the Game and Parks Commission to your mailing list. There could be threatened or endangered prairie plants along the tracks of land identified for your project. Please contact Mr. Robert Harms, Environmental Analyst, Threatened and Endangered Species Environmental Review/Consultation, Game and Parks Commission, 2200 N. 33rd Street, Lincoln, NE 68503. Or you may contact Mr. Harms at (402) 471-5444 for more information.

Sincerely,



Joe Francis
Associate Director
Customer & Technical Assistance Div.

xc: W. Gregson
J. Bender
B. Anderson
R. Harms

JF/do

CL Key Sand 7/21/00

APR 20 2000

STATE OF NEBRASKA



Mike Johanns
Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

Suite 400, The Atrium
1200 'N' Street
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Phone (402) 471-2186

East 'O' St. - NH-34-6(124)
Antelope Valley - M-5244 (3)

April 17, 2000

Ed Kosola
US Department of Transportation
Federal Highway Administration
100 Centennial Mall North
Lincoln, NE 68508

RE: Transportation Projects

Dear Ed:

I have completed the review of the transportation projects for East "O" Street and Antelope Valley in Lincoln. I have no further comments on these projects. Please note that my concurrence with the East "O" project is based upon the analysis conducted jointly between the NDEQ and NDOR. If you have any further questions please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Bret Anderson".

Bret Anderson
Environmental Program Specialist
Air Quality Planning and Development

Received: from fhwamtwl.fhwa.dot.gov
(email.fhwa.dot.gov [169.135.1.10])
by Fhemaild.fhwa.dot.gov; Mon, 08 May 2000 09:33:57 -0400
Received: from myrtle.rtpnc.epa.gov ([134.67.208.33]) by fhwamtwl.fhwa.dot.gov
with SMTP (Microsoft Exchange Internet Mail Service Version 5.5.2650.21)
id 2DBKDOCT; Mon, 8 May 2000 09:33:29 -0400
Received: from EPAHUB2.RTP.EPA.GOV (epahub2.rtp.epa.gov [134.67.213.31])
by epamail.epa.gov (PMDF V5.2-32 #42055)
with SMTP id <0FU8005QOTEQ35@epamail.epa.gov> for
Edward.Kosola@igate.fhwa.dot.gov; Mon, 8 May 2000 09:28:03 -0400 (EDT)
Received: by
EPAHUB2.RTP.EPA.GOV(Lotus SMTP MTA v4.6.3 hotfix 1 (767.1 12-15-1998))
id 852568D9.0049B88B ; Mon, 08 May 2000 09:25:13 -0400
Date: Mon, 08 May 2000 08:18:59 -0500
From: Cothern.Joe@epamail.epa.gov
Subject: Re: Antelope Valley EIS
To: Edward.Kosola@igate.fhwa.dot.gov
Cc: Taylor.Thomas@epamail.epa.gov
Message-id: <852568D9.00496089.00@EPAHUB2.RTP.EPA.GOV>
MIME-version: 1.0
Content-type: text/plain; charset=us-ascii
Content-disposition: inline
X-Lotus-FromDomain: EPA

Ed,

I enjoyed the visit very much! I believe that the MIS does a good job of covering the major elements of the project, and the only nagging question that I have...would be the potential impacts to Salt Creek (mainly scour). I suppose illumination on that aspect will come from reading the COE's Feasibility Study.

Best Regards,
Joe

```
|-----+----->
|           Edward.Kosola@igate.fhwa.dot.gov |
|           05/05/2000 03:47 PM           |
|-----+----->
>-----+-----|
|           To:           Joe Cothern/WWPD/R7/USEPA/US@EPA           |
|           cc:           |                                           |
|           Subject:      Antelope Valley EIS                         |
>-----+-----|
```

Thanks for visiting Lincoln and seeing some of our projects. We are getting close to having the DEIS for that project ready. If you have any concerns we need to let the consultant know soon.

Thanks. Ed Kosola



NEBRASKA STATE HISTORICAL SOCIETY

1500 R STREET, P.O. BOX 82554, LINCOLN, NE 68501-2554
(402) 471-3270 Fax: (402) 471-3100 Museum Fax: (402) 471-3314 NSHS@inetnebr.com

June 25, 1998

William G. Hurst
Project Development Division
Department of Roads
Box 94759
Lincoln, NE 68509-4759

RE: Project No. M-5244(3)
CN 11215
Antelope Valley Study—City of Lincoln
HP #9801-020-01

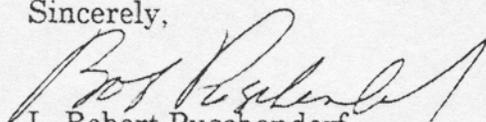
Dear Mr. Hurst:

We have reviewed the reconnaissance report (Parks, Stupka-Burda and Tanner 1998) on the above referenced project. We concur with the report on the standing structures and that the following individual archeological sites identified do not contain sufficient research potential or integrity to be declared eligible for the National Register of Historic Places: 25LC86 (AVAP-1), 25LC87 (AVAP-2), 25LC88 (AVAP-4), 25LC100 (AVAP-3), 25LC101 (AVAP-5), 25LC102 (AVAP-6), 25LC103 (AVAP-7), 25LC104 (AVAP-8), 25LC105 (AVAP-9), 25LC106 (AVAP-10), 25LC107 (AVAP-11), 25LC108 (AVAP-14), 25LC109 (AVAP-15), and 25LC110 (AVAP-16).

The following archeological sites have insufficient information available to make a determination of eligibility: 25LC90 (AVAP-13), 25LC99 (AVAP-17) and 25LC506.

If you have any questions concerning this review, please contact Greg Miller at (402) 471-4775.

Sincerely,



L. Robert Puschendorf
Deputy SHPO

NE



NEBRASKA STATE HISTORICAL SOCIETY

1500 R STREET, P.O. BOX 82554, LINCOLN, NE 68501-2554
(402) 471-3270 Fax: (402) 471-3100 Museum Fax: (402) 471-3314 NSHS@inetnebr.com

July 28, 1998

Mr. Roger Figard, City Engineer
Department of Public Works/Utilities
555 South 10th Street
Lincoln, NE 68508

Re: Antelope Valley Major Investment Study

On July 22, 1998 there was a meeting concerning the Antelope Valley Major Investment Study. Representatives from our office, the City of Lincoln, Olsson associates and UN-L Anthropology Department were present. One of the topics of discussion was a proposed process for remaining activities. It was agreed that during the time between the Draft Environmental Impact Statement public hearing and the Final Environmental Impact Statement, a Programmatic Agreement (PA) would be drafted and proposed for approval by all appropriate parties. The PA would cover commitments to mitigation for the identified adverse effects and clauses regarding buried resources discovered during construction.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Robert Puschendorf'. The signature is written in a cursive style with a large, sweeping flourish at the end.

L. Robert Puschendorf
Deputy State Historic
Preservation Officer

LINCOLN



NEBRASKA'S CAPITAL CITY

JAMES P. MORGAN, DIRECTOR
DEPT. OF PARKS AND RECREATION
2740 "A" STREET
LINCOLN, NE 68502
402-441-7847 • 402-441-8706

January 7, 2000

Mr. Roger A. Figard
City Engineer
City of Lincoln
1001 6th Street
Lincoln, Nebraska 68508

RECEIVED

JAN 10 2000

CITY ENGINEERS OFFICE
CITY OF LINCOLN

Dear Mr. Figard:

Thank you for the opportunity to provide a formal response to the Antelope Valley Major Investment Study Amended Draft Single Package. The Lincoln Parks and Recreation Department has been an active participant in this community planing effort. From the very beginning, the community meetings, bus tours and sometimes lengthy internal meetings have brought about a plan that I feel correctly represents the collective vision of the many diverse participants in this study.

Although I recognize the relationship that exists between transportation issues, storm water issues and community revitalization, my major focus remains the preservation or expansion of open space and recreational opportunities in this area. I support all three components of the Amended Draft Single Package but I will address them as they relate to community revitalization.

TRAGO PARK 4 (f) ISSUES:

Trago Park is an important community park site. It offers an important recreational opportunity for the college students who live in this area and it also serves the many families who share this neighborhood. Trago Park has become an important gathering place for many community festivals – especially those relating to our African-American residents. I support the location of both the storm water channel and the roadway adjacent to the park because I believe they do not detract from the purpose or the use of the park. The major use areas of the park remain untouched by the project and I believe that the addition of the open channel and recreational trail areas will be viewed as an expansion of the park. The current plan also adds some land to Trago Park. I believe one of the greatest benefits will be the trail connection along Trago Park that

allows children and other trail users to safely reach other recreational sites such as Kuklin Pool, Holmes Lake or State Fair Park. The proposed trail design reflects the successful planning that has been used for other trail routes along Antelope Creek.

I appreciate the planning efforts that have addressed the community concerns relating to roadway noise. I feel the noise barrier that is being proposed is a satisfactory solution and this barrier will also provide enhanced safety for park users. We are prepared to add landscape materials along the western edge of the park.

Although the current plan does not greatly increase our operating expenses for Trago Park, I am concerned that the success of this project may have an unpredicted effect in that I believe that our park usage will increase due to the trail connection and the addition of the rest rooms at Trago Park. Trago Park will become a stopping off point for many trail users that will use this new connection in our trail system. That is a measure of success – not a funding complaint!

NORTHEAST COMMUNITY PARK PLANS:

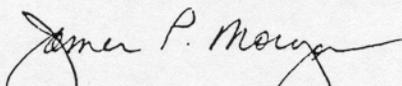
There is tremendous community support for this new community sized park of about 20 acres. As is the case in many cities, our older residential areas were developed without the large park areas needed for active recreational and sports programming. Currently, residents in this area have to travel to the outer areas of our community for their children to participate in baseball, softball or soccer. This is a big issue for working parents who have children in quality daytime summer sports programs. Many children will now be able to walk or bike on our trails to the new park site right in their neighborhood.

This new community park is a significant effort because it also meets the needs of the Campus Recreational programming at UNL. Our many meeting with the University have resulted in a very good plan for joint use of the park and joint responsibility for maintenance. This park will be heavily programmed from early spring through late fall.

SUMMARY:

The Antelope Valley Amended Draft Single Package appears to have successfully met the needs, goals and dreams of all of us who have participated in this lengthy process. Our challenge remains that of taking this collective vision and making it a reality. Funding continues to be a concern for the Parks and Recreation Department both for development and then for ongoing maintenance. This area of Lincoln deserves to share in the recreational opportunities that are available elsewhere in the community and I appreciate having recreation and open space included as part of this large planning effort.

Sincerely,


James P. Morgan, Director



University of
Nebraska
Lincoln

July 16, 1999

Roger A Figard
City Engineer

City of Lincoln
1001 S. 6th St
Lincoln NE 68508

RE: Antelope Valley Draft Section 4(f) Statement

Dear Roger:

The University of Nebraska – Lincoln, including its Campus Recreation Department, has been an active Partner in the Antelope Valley Major Investment Study that led to the cooperative selection in early 1999 of the Amended Draft Single Package (ADSP) as the preferred local major investment strategy (the preferred alternative). We believe the preferred alternative best satisfies the community's and University's purposes and needs established early in the study. The Lincoln City Council's action to include the study results in the Comprehensive Plan recognizes that the combination of transportation, stormwater management and community revitalization actions will benefit this community. The University Master Campus Plan proposed to the Board of Regents in December 1998, also recognizes the ADSP. Jointly our plans will benefit from the area improvements of the ADSP.

Though all effort was made to avoid use of any Section 4(f) protected resources in planning the alignments and actions for the ADSP, it proved unavoidable that the ADSP would use several University owned significant recreation areas (which are open to the general public.) We all agreed that alternative avoidance alignments had worse impacts on other significant University recreation fields and property.

Specifically relocation of the following recreation sites would be required: three softball fields, two basketball courts, two volleyball courts, three horseshoe pits and two mud volleyball courts. These are all located at the edge of campus adjacent to the Antelope Creek.

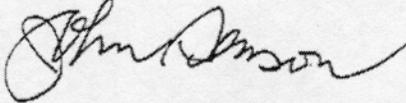
All efforts have been made to minimize harm to other nearby University's recreation facilities in the choice of the preferred alignment. As mitigation for the use of University sites, we helped develop, and we support the proposal to relocate these sites to other appropriate locations. The relocated sites are consistent with the proposed Campus Master Plan, dated December 12, 1998.

A new Northeast Community Park shown in the ADSP is proposed to be a City and University responsibility. As a badly needed public open space in this part of Lincoln, this will be a good

addition to the City's park system and we think it is a good location between both University campuses for relocating some of our recreation fields. This park is being planned as a cooperative development of the University of Nebraska and Lincoln's Parks and Recreation Department. It will serve as the functional replacement site for three of the softball fields that are located in the proposed Antelope Valley roadway corridor. We are jointly and concurrently planning the park with the new roadways that will be adjacent to the park and provide access from both campuses to the park. The concept of joint development and joint operation is being enthusiastically pursued. The other recreation sites will be relocated on the city campus.

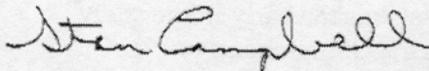
We will continue to work with our partners to bring this plan to fruition. We believe the changed locations and mitigation items will not change our operating and maintenance costs very much; this is good.

Sincerely,



John Benson, Director
Institutional Research and Planning

And



Stan Campbell, Director
Campus Recreation