
PUBLIC NOTICE



**US Army Corps
of Engineers**

Omaha District

Application No: 2010-02056
Applicant: City of Omaha Public Works, Omaha, Nebraska
Waterway: Un-named tributary to Big Papillion Creek
Issue Date: October 31, 2011
Expiration Date: November 20, 2011

21 DAY NOTICE

Reply To:
NEBRASKA REGULATORY OFFICE – WEHRSPANN
8901 SOUTH 154TH STREET, SUITE 1, OMAHA, NEBRASKA 68138-3621

JOINT PUBLIC NOTICE: This public notice is issued jointly by the U.S. Army Corps of Engineers, Omaha District, and the Nebraska Department of Environmental Quality (NDEQ), P.O. Box 98922, State House Station, Lincoln, Nebraska 68509. NDEQ will review the proposed project for state certification in accordance with the provisions of Section 401 of the Clean Water Act. NDEQ hereby incorporates this public notice as its own public notice and procedures by reference thereto. For the purposes of NDEQ, their public notice will expire 30 days from the issue date shown above. Our public notice website at <http://www.nwo.usace.army.mil/html/od-rne/pn/pn.html>.

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

APPLICANT: Mr. Jon Meyer, City of Omaha, 1819 Farnam Street, 6th Floor, Omaha, Nebraska 68183.

AGENT: Mr. Kyle Anderson, Felsburg Holt & Ullevig, 11422 Miracle Hills Drive, Suite 115 Omaha, NE 68154.

PROJECT LOCATION: The proposed project is located along 144th Street from West Dodge Road to Eagle Run Drive, and Blondo Street from 135th Street to 156th Street. Along 144th Street corridor, the project is 1.5 miles long, and the Blondo Street corridor is 1.7 miles long. The project is approximately 41.277654°, -96.138803° WGS84, NW1/4 of NW1/4 in Section 13, Township 15 North, Range 11 East, in Douglas County, Nebraska. See map in Attachment 1.

PROJECT DESCRIPTION: The project involves reconstruction of both 144th Street and Blondo Street from the existing 2-lane rural roadway to a 4-lane urban arterial complete with curb and gutters, a raised median, storm sewer system, sidewalks, and trails.

PROJECT PURPOSE:

The applicant's stated purpose of the project is to increase transportation capacity for local and regional traffic, improve safety, and reduce delay associated with congestion at the intersection of 144th and Blondo Streets during peak traffic periods.

SPECIAL AQUATIC SITES: Permanent impacts to Waters of the U.S. (WOUS) will occur at the following locations: Site 1 (south and east of 144th and Blondo Street intersection) – Approximately 0.031-acre (1,368 square feet) of riverine channel PEMA wetlands and 158-foot of riverine stream channel will be permanently impacted by the construction of the widening of the intersection of 144th and Blondo Streets. Site 2 (north and east of 138th and Blondo Street intersection) – Approximately 96-foot of riverine stream channel will be permanently impacted by the construction of the culvert extension and roadway embankment fill. Site 3 (south and east of 144th and Grant Street intersection) – Approximately 0.001-acre (34 square feet) of riverine PEMA wetlands will be permanently impacted by the culvert extension and roadway embankment fill. These aquatic resources are within un-named tributaries to the Big Papillion Creek. No temporary impacts were identified.

AVOIDANCE, MINIMIZATION, AND MITIGATION:

The applicant has identified three new roadway alignments on Blondo Street and two on 144th Street in various combination as alternatives which were considered in their planning and avoidance for the special aquatic sites and WOUS, namely Sites 1, 2, and 3 permanently impacted by the project.

- a) Alternative 1 – No-Build / No Permit Required.
- b) Alternative 2 – Improve Transit Operations (Bus).
- c) Alternative 3A – 144th Street Improvements – Existing Alignment.
- d) Alternative 3B – 144th Street Improvements – West Alignment (shifted 50-foot to the west).
- e) Alternative 4A – Blondo Street Improvements – Existing Alignment.
- f) Alternative 4B – Blondo Street Improvements – North Alignment (shifted 12-foot to the north).
- g) Alternative 4C – Blondo Street Improvements – South Alignment (shifted 12-foot to the south).
- h) Alternative 4D – Blondo Street Improvements – Far South Alignment (shifted 100-foot to the south).

The applicant considered various combination of roadway alignments as follows:

- i) Alternative 3A + 4A – 144th Street Existing Alignment and Blondo Street Existing Alignment.
- ii) Alternative 3A + 4B (preferred alternative) – 144th Street Existing Alignment and Blondo Street North Alignment.
- iii) Alternative 3A + 4C – 144th Street Existing Alignment and Blondo Street South

Alignment.

iv) Alternative 3A + 4D – 144th Street Existing Alignment and Blondo Street Far South Alignment.

v) Alternative 3B + 4A – 144th Street West Alignment and Blondo Street Existing Alignment.

vi) Alternative 3B + 4B – 144th Street West Alignment and Blondo Street North Alignment.

vii) Alternative 3B + 4C – 144th Street West Alignment and Blondo Street South Alignment.

viii) Alternative 3B + 4D – 144th Street West Alignment and Blondo Street Far South Alignment.

City of Omaha has identified some criteria in the planning and development of these alternatives.

1) Increase transportation capacity and reduce congestion. 2) Meet current AASHTO, City, and State Design Standards. 3) Cost of alternatives. 4) Minimizing impacts to wetlands and stream channels.

The applicant has proposed a mitigation site located approximately 41.278522°, -96.139117° WGS84, SE1/4 of SE1/4 in Section 11, Township 15 North, Range 11 East, in Douglas County, Nebraska. The mitigation under consideration is creation of a new ephemeral or intermittent stream channel, riverine fringe wetlands, and a rain garden, all of which discharge to a storm water sewer that flows into an un-named tributary of the Big Papillion Creek.

CULTURAL RESOURCES: No activity which may affect historic properties listed, or eligible for listing, in the National Register of historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. We have checked the National Register of Historic Places, and any available site database information, and there are no known National Register sites in the vicinity. We will evaluate input by the State Historic Preservation Office, Tribes, and the public in response to this public notice, and we may conduct or require a survey of the permit area to check for unknown historic or prehistoric properties, if warranted.

The Nebraska State Historical Preservation Office concurred with the determination of "No potential to cause effect" to cultural and historic properties affected by this undertaking in a letter dated May 5, 2010 with the signed concurrence on May 27, 2010 by the Deputy State Historic Preservation Officer, as documented in the Final Environmental Assessment by Federal Highway Administration – Nebraska Division, dated March 9, 2011.

ENDANGERED SPECIES: Pursuant to the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service (USFWS) and other interested agencies and individuals.

The USFWS, Nebraska Field Office has concurred with a "No Effect," not adversely affect federally listed threatened and endangered species, or their designated critical habitat as it relates to this project. This applies to the following federally listed species that are known to occur in

Douglas County: Pallid sturgeon, Interior least tern, and Piping plover. The USFWS concurred with the “No Effect” determination in letters dated January, 27, 2007 and October 19, 2010, as documented in the Final Environmental Assessment by Federal Highway Administration – Nebraska Division, dated March 9, 2011.

FLOODPLAIN: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state’s opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision whether to issue the Corps’ permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed / completed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against their reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the work on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 C.F.R. Part 230).

COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State, and Local agencies and officials, Indian Tribes and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

Anyone whose interests may be affected by the proposed / completed work is invited to submit favorable or unfavorable written comments to the Nebraska Regulatory Office – Wehrspann, 8901 South 154th Street, Suite 1, Omaha, NE 68138-3621. The District Engineer is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic system's functional values, cumulative and secondary effects and endangered species. All comments received will be considered public information; copies of all comments, including names and addresses of commentors, may be provided to the applicant unless confidentiality is requested. Comments must be submitted on or before the expiration date (located at the top of the first page) of this notice to be considered in the subsequent actions on this application.

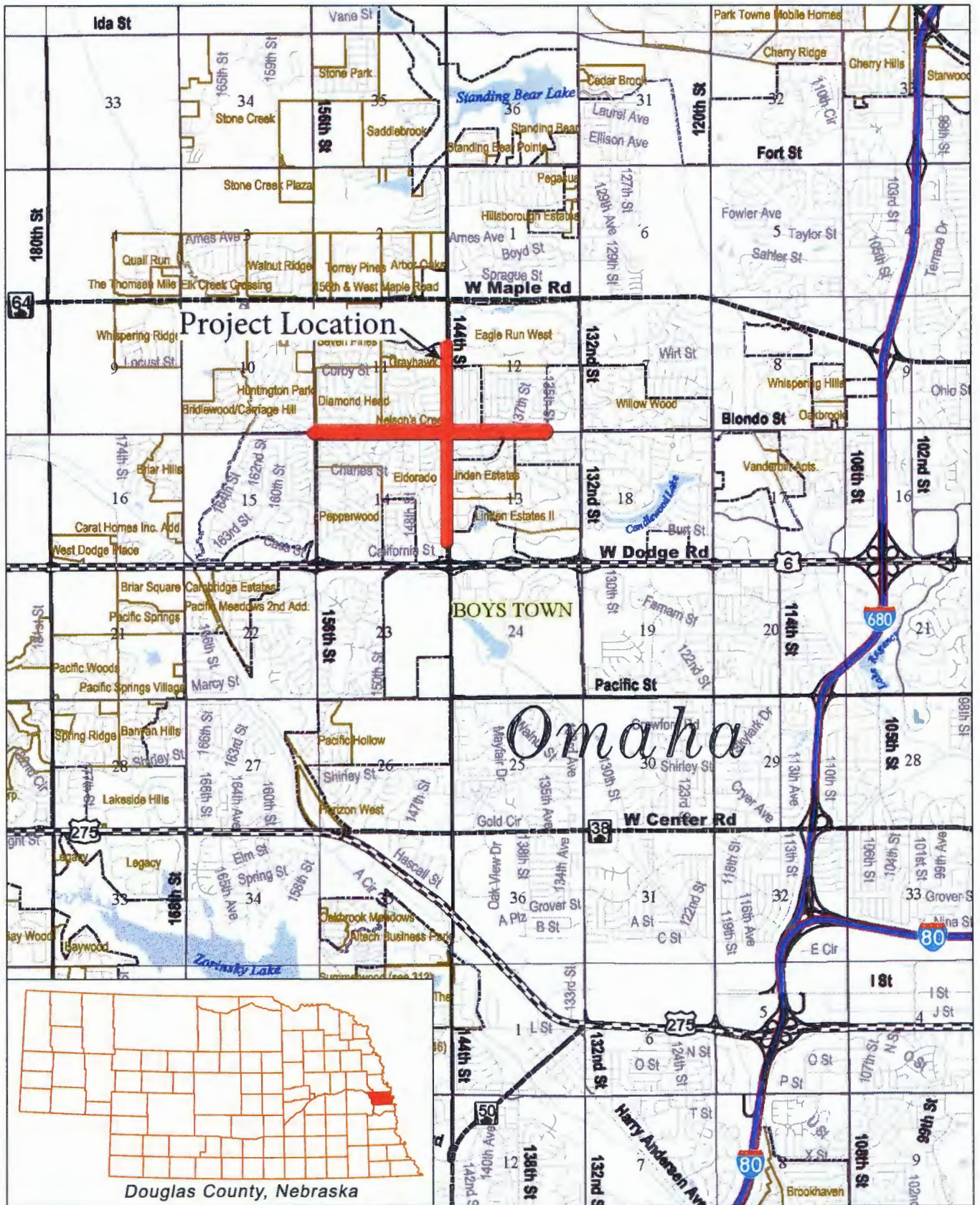
PUBLIC HEARING: Before the expiration date of this notice, anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state the reason(s) for holding a public hearing. If the District Engineer determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by writing to Mr. John Snowdon at the address shown on page one or by calling him at (402) 896-0896. You can also e-mail Mr. Snowdon at john.p.snowdon@usace.army.mil.

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page one.

NOTICE TO EDITORS: This notice purpose is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising.

PUBLIC NOTICE WEBSITE: To review the Public Notice and any additional project information at <http://www.nwo.usace.army.mil/html/od-rne/pn/pn.html>

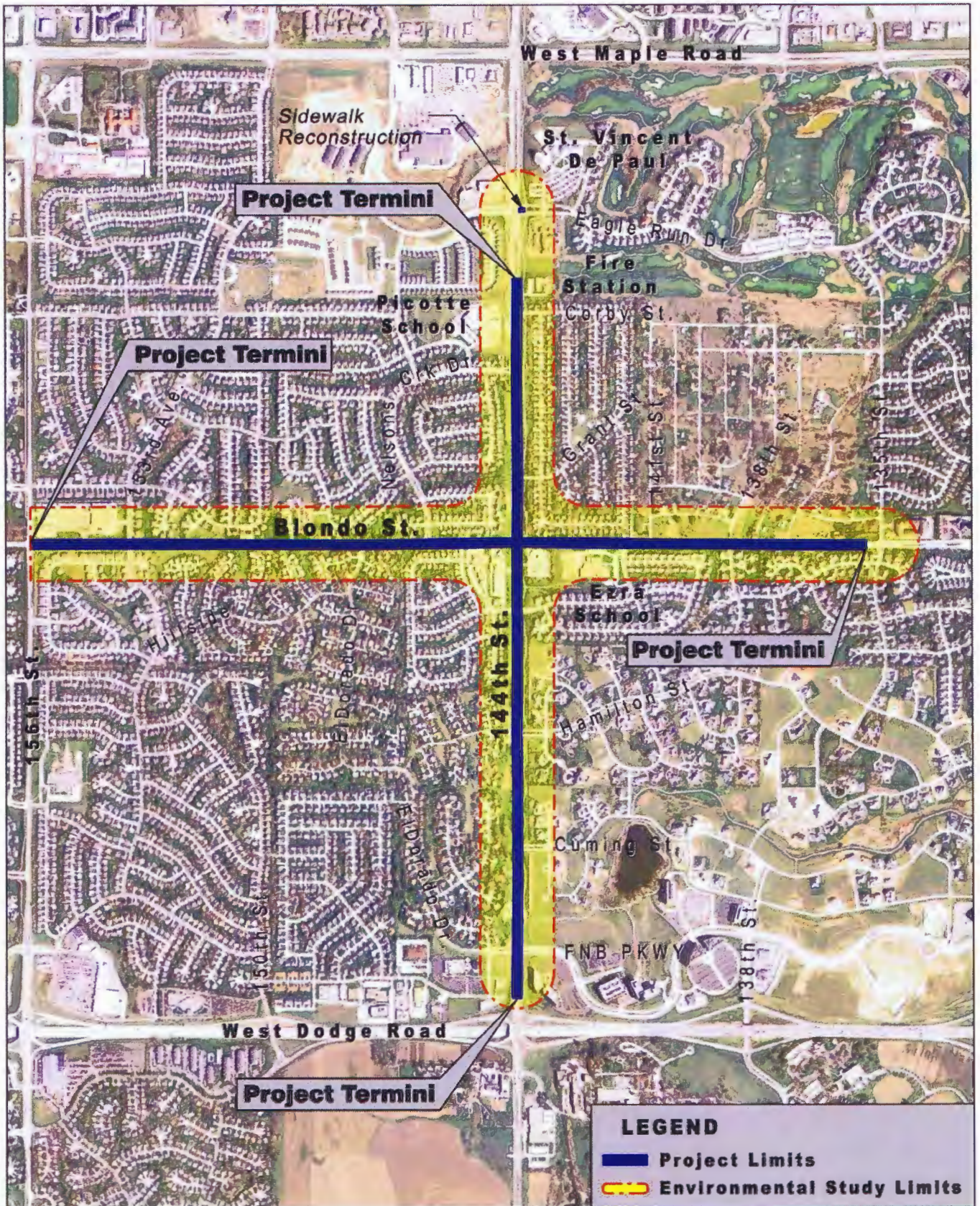


Source: Douglas County
Street Map
Revised 2003



Figure 1
Project Vicinity Map

144th St., W. Dodge Rd. to Eagle Run Dr. &
Blondo St., 156th St. to 135th St.
Omaha, NE, Douglas County



Source: MAPA
Aerial Photo
Flown in 2007



Figure 2
Project Location Map
144th St., W. Dodge Rd. to Eagle Run Dr. &
Blondo St., 156th St. to 135th St.
Omaha, NE, Douglas County

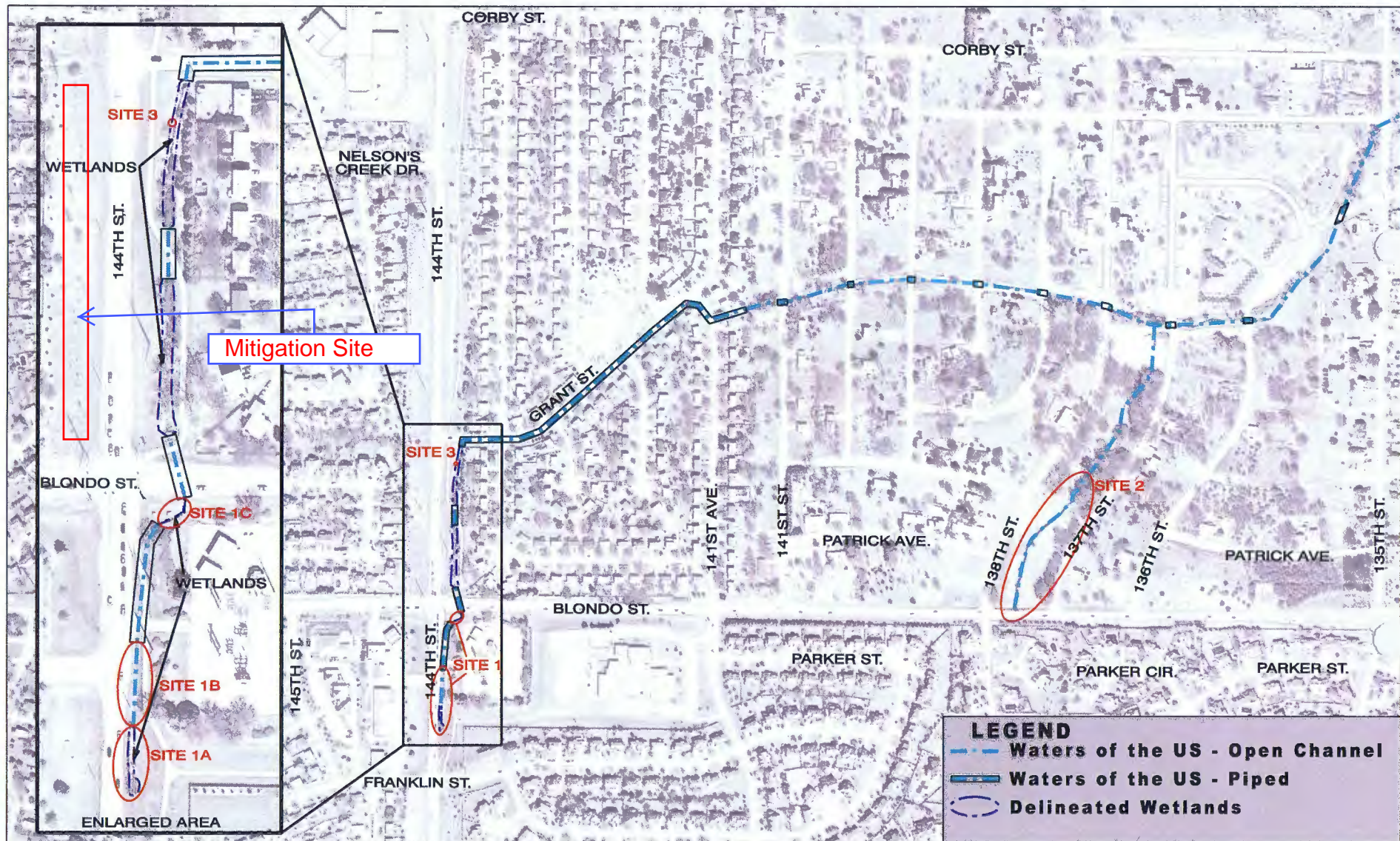


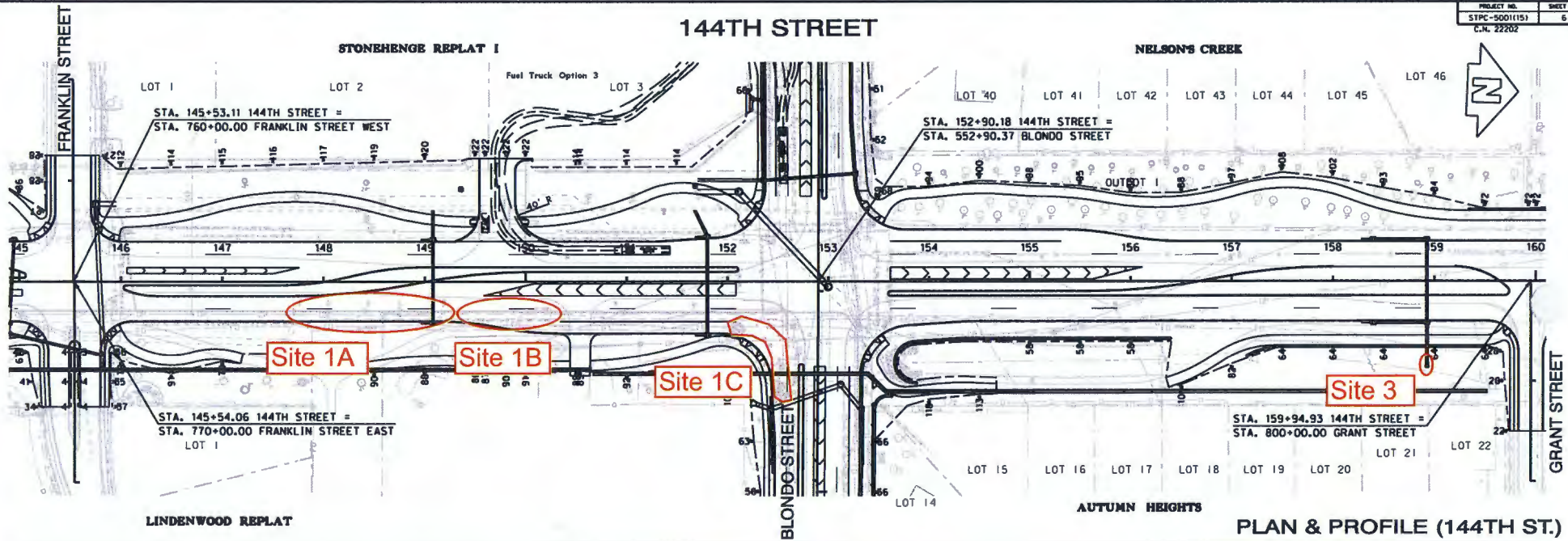
Figure 1
Waters of the US
144th St., W. Dodge Rd. to Eagle Run Dr. & Blondo St., 156th St. to 135th St.
Omaha, NE
Douglas County



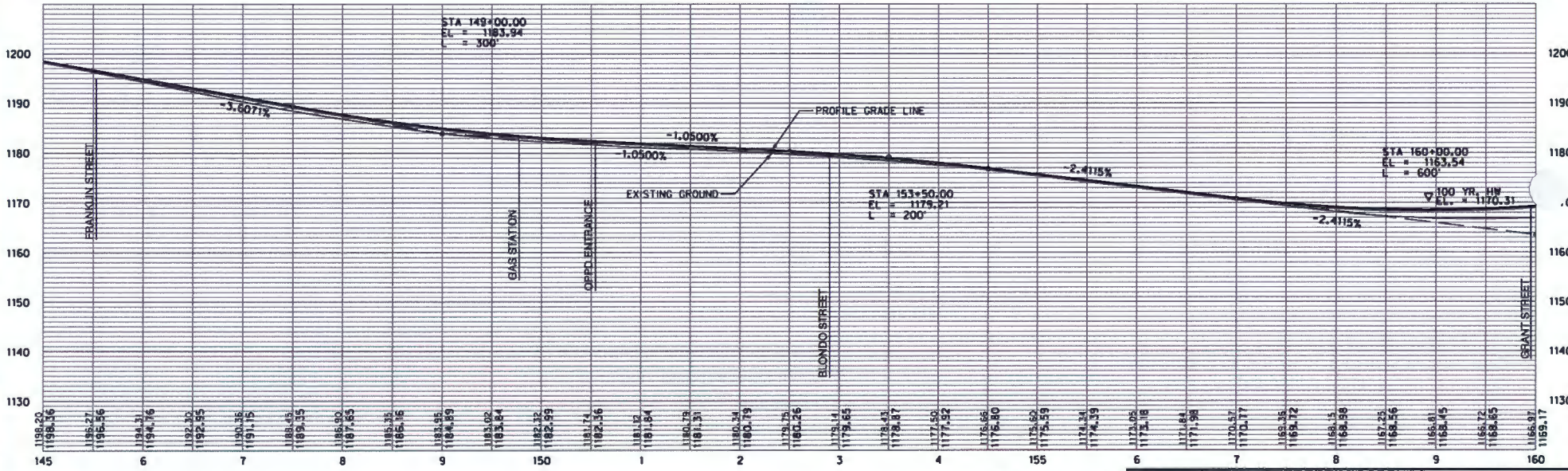
144TH STREET

STONEHENGE REPLAT I

NELSON'S CREEK



PLAN & PROFILE (144TH ST.)

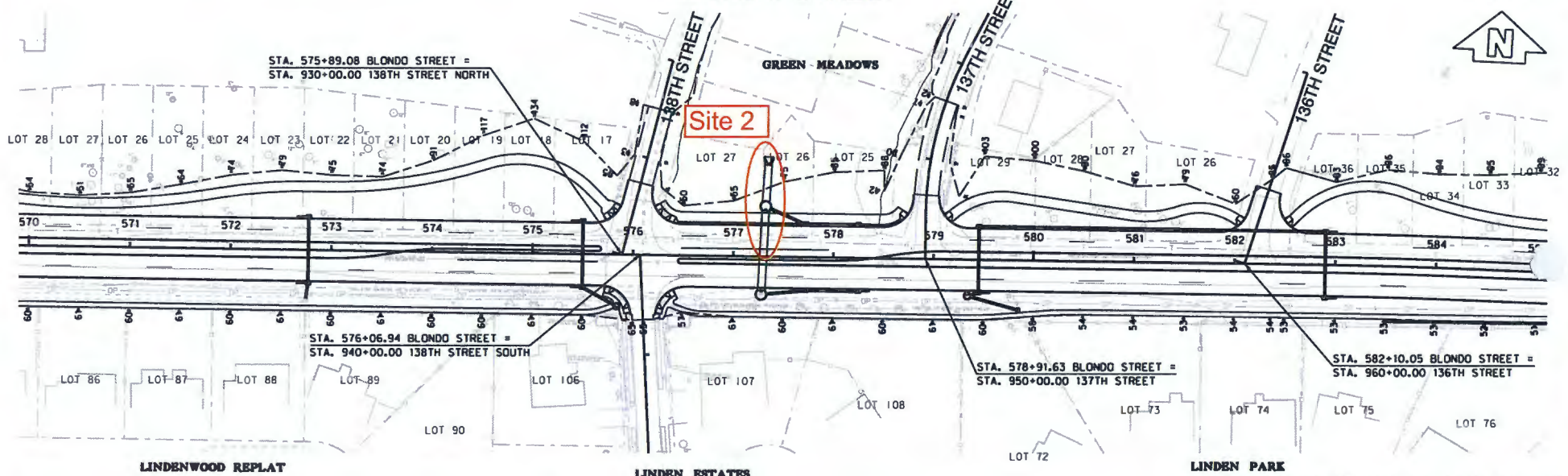


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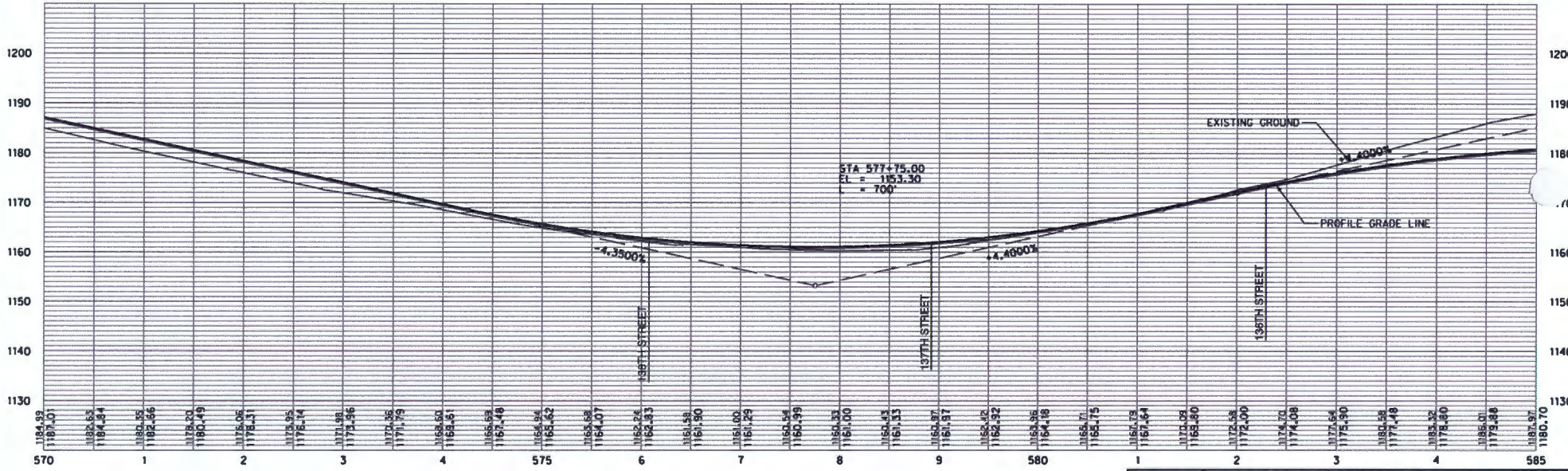
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BLONDO STREET



PLAN & PROFILE (BLONDO ST.)



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