

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

November 5, 2024

Nebraska Department of Economic Development
245 Fallbrook Blvd, Suite 002
Lincoln, NE 68521

(800)-426-6505

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Nebraska Department of Economic Development.

REQUEST FOR RELEASE OF FUNDS

On or about November 21, 2024, the Nebraska Department of Economic Development will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of 2019 Community Development Block Grant – Disaster Recovery (CDBG-DR) funds under Public Law 116-20 of the Additional Supplemental Appropriations for Disaster Relief Act 2019, as amended, to undertake a project known as the Platte River Obstruction Removal for the purpose of sand and rock removal to restore pre-disaster river flow. Papio Missouri River Natural Resources District (PMNRD) proposes the Platte River Obstruction Removal project to restore channel flood capacity in the Platte River near the Burlington Northern Santa Fe and Union Pacific Railroad bridges and the Highway 75 bridge south of Omaha on the Sarpy and Cass County line. During the 2019 flood event, rock was deposited in the river near the railroad bridges which has resulted in the accumulation of sediment and formation of a sandbar which reduces the capacity of the channel and increases flood risk upstream. The approximate location of the proposed project site is 41.06308 degrees N, -95.930488 degrees W, in Section 27, Township 13 North, Range 13 East, in Sarpy County, Nebraska. The Platte River Obstruction Removal project will consist of the removal of buried rock between the two railroad bridges and to the east of the bridges, removal of sand that has accumulated downstream east of the bridges, transportation of the rock to the nearby SID 101 property for use in uplands, deposition of sand sediment in a nearby former NDOT borrow pit lake, construction and removal of a temporary rock causeway, and clearing and grubbing as necessary for site access. No rock or sediment removed will be placed in wetlands, streams, or other Waters of the U.S. Construction is expected to occur from October 2024 to March 2025. Excavators will be used to scoop sand/rock out of the river to a local stockpile. Grizzly/slotted buckets on excavators will be used to separate the rock and sand, then the sand will be loaded and hauled to the NDOT lake using dump trucks and the rock loaded and hauled to SID 101. Minimal amounts of waste (if any) will be generated. Any waste will be loaded into dump trucks and hauled off to an approved landfill/dump site. Rock will be excavated to an elevation of 950 feet above mean sea level (msl). Approximately 28,000 cubic yards (cy) will be removed. Sand and sediment will be excavated to the current water surface elevation of 961.5 feet above msl. Approximately 34,000 cy of sand will be excavated.

Estimated total project cost is \$7,945,367.10 supported by \$7,150,840.30 in CDBG-DR funds. The project is located on the Sarpy County side of the Platte River near US HWY 75, near the Union Pacific and BNSF railroad bridges.

FINDING OF NO SIGNIFICANT IMPACT

The Nebraska Department of Economic Development has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project

information is contained in the Environmental Review Record (ERR) on file at Nebraska Department of Economic Development, 245 Fallbrook Blvd, Suite 002, Lincoln, NE 68521 and may be examined or copied weekdays 8 A.M to 5 P.M

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Nebraska Department of Economic Development, 245 Fallbrook Blvd, Suite 002, Lincoln, NE 68521. All comments received by November 20, 2024, will be considered by the Nebraska Department of Economic Development prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The Nebraska Department of Economic Development certifies to HUD that Joseph H. Lauber in his capacity as Deputy Director-Operations/Chief Legal Officer/Environmental Review Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the PMNRD to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the Nebraska Department of Economic Development certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Nebraska Department of Economic Development; (b) the Nebraska Department of Economic Development has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Department of Housing & Urban Development (HUD), Office of Disaster Recovery, 451 Seventh Street, W, Room 7272, Washington, DC 20410. Or email at disaster_recovery@hud.gov Potential objectors should contact HUD to verify the actual last day of the objection period.

Joseph H. Lauber Deputy Director – Operations/Chief Legal Officer
Environmental Review Certifying Officer
Nebraska Department of Economic Development