


To Office: Iowa Division Office, FHWA

Date: April 2, 2009

Attention: Mike LaPietra

Ref: NHSX-34-1(63)—19-65

From: James P. Rost, Director 
Office of Location and Environment

Mills County, Iowa
Sarpy County, Nebraska

Subject: Consultative reevaluation of Bellevue Bridge study final environmental impact statement and record of decision, FHWA-IOWA-EIS-2004-F.

Background: On May 18, 2007, the Iowa Division Office signed the final environmental impact statement for this project, followed by approval of the record of decision on December 14, 2007. Data presented in these documents identified approximately 9 acres of wetlands that would be affected by the selected alternative (page 13, Wetlands and Other Waters of the U.S., 12/14/07 record of decision.) Since publication of the NEPA compliance documents, it has been determined that wetland impact values will change, from the approximately 9 acres mentioned, to approximately 20 acres, an increase of 11 acres. This increase will occur on the Nebraska side of the project, and is due to land use changes within the selected corridor (removal of cropping,) combined with wetter than normal rainfalls, resulting in a resurgence of wetlands that were formerly absent due to crop production. This transition was discovered after approval of the NEPA documents, during the period when more detailed wetlands surveys were performed as part of the 404 permitting process. All other impacts associated with this project remain substantially the same as described in the NEPA compliance documents.

This consultative reevaluation is being completed to document the changed project impacts to wetlands and waters of the U.S., and to reaffirm the validity of the decision regarding selection of the project preferred alternative (Southern Sarpy County corridor.) The basis for this selection is as follows:

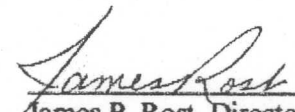
- * The selected alternative best meets the project purpose and need, as defined in the NEPA decision documents.
- * The selected corridor represents the environmentally preferred option due to fewer overall direct impacts on the human and natural environment.
- * The selected alternative best responds to safety concerns regarding aircraft operations at Offutt Air Force Base north of the selected alignment.
- * Construction within the selected corridor eliminated the need to build a new interchange at Interstate highway 29 in Iowa as well as reduces the number of grade

separations over existing local roads. These features represent a significant savings in overall project costs.

- * The selected alternative was the option preferred by resource/regulatory agencies and members of the public involved in project development.

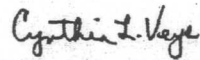
Resolution of changes in impacts to wetlands/waters of the U.S.: Within the selected corridor, project design will continue to focus on avoidance and minimization of impacts to wetlands, and this requirement will be applied wherever possible to reduce overall direct impacts. For unavoidable impacts to wetlands or other waters of the U.S., Iowa DOT/Nebraska DOR will develop compensatory mitigation to offset impacts, using a minimum replacement ratio of 1.5 to 1 acres.

Summary and recommendation: Changes to wetland impacts have occurred within the selected project development corridor, and these changes are subject to documentation requirements of NEPA. The increase in wetland area affected by project construction can and will be mitigated in a manner consistent with obligations under Section 404 of the Clean Water Act, and this action will be documented via a Department of the Army Section 404 permit. All other impact categories associated with project development remain substantially the same as described in the NEPA decision publications, and no further documentation is needed. In view of these circumstances, it is the finding of this consultative reevaluation that the original decision regarding the selected alternative corridor remains valid, and no additional written reevaluation or supplemental NEPA documentation is warranted.



James P. Rost, Director
Office of Location and Environment
Iowa Department of Transportation

4/2/09
Date



For Nebraska Department of Roads

4/20/09
Date

FHWA concurrence:



4/24/09