

Environmental Assessment

Fred LeRoy Health and Wellness Center
5805 South 86th Circle
Omaha, Nebraska

Prepared for:

Ponca Tribe of Nebraska



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In accordance with the Health and Human Services (HHS) General Administration Manual Part 30 Environmental Protection, the Ponca Tribe of Nebraska has assessed the potential environmental consequences associated with the Fred LeRoy Health and Wellness Center (FLHWC) located at 5805 South 86th Circle, Omaha, Nebraska.

Attachment:
Environmental Assessment Report

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1.0 Purpose Of and Need For Action

1.1 Introduction

The National Environmental Policy Act (NEPA) mandates the integration of environmental considerations into the overall planning processes of Federal agencies. The Health and Human Services (HHS) General Administration Manual Part 30 Environmental Protection (HHS Environmental Manual) provides guidance for complying with Federal environmental laws (including NEPA), regulations, Executive Orders (EOs), and agency administrative policies and procedures.

In accordance with the HHS Environmental Manual, the Ponca Tribe of Nebraska (Ponca Tribe) has assessed the potential environmental consequences associated with the Fred LeRoy Health and Wellness Center (FLHWC) located at 5805 South 86th Circle, Omaha, Nebraska. An initial evaluation was conducted in June 2021, and is attached as Appendix A.

1.2 Overview of the Proposed Action

The Ponca Tribe of Nebraska is a federally recognized Native American Tribe. Although the Ponca Tribe of Nebraska does not have a reservation, the Ponca Restoration Act of 1990 established a fifteen-county Tribal service delivery area across Nebraska, Iowa, and South Dakota. The Tribe offers a broad range of health, social, educational and cultural services at offices in Omaha, Lincoln, Norfolk, and Niobrara in Nebraska and Sioux City in Iowa. The Tribe is integrated into the Omaha Metropolitan Medical Response System to provide medical response assistance and resources in times of disaster to all citizens. In Omaha, the Tribe's Health Services and Administrative Offices are currently located at 26th and J Street.

The Ponca Tribe of Nebraska has purchased the former InfoGroup Headquarters property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the campus for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses. The ±11.23-acre Site is made up of 7 separate parcels, containing a ±156,000 SF office building, a ±16,000 SF office building, and a ±9,000 out building with surrounding parking lots and Site appurtenances. A Site location map is provided in Figure 1, and the current and proposed conditions are shown on Figures 2 and 3, respectively.

1.3 Purpose of the Project

The purpose of the project is to provide additional space for public health and other services to tribal members and, if needed to the surrounding community in times of disaster, and to provide space for community programming for tribal members.

1.4 Need for the Project

The Ponca Tribe has outgrown their current property and is seeking more space to offer public health and other services to tribal members, with plans to expand services to other Native Americans and non-Natives alike – directly and through partnerships with other agencies/institutions serving the Omaha area. Due to the Tribe’s relationships with and within the City of Omaha and the concentration of its members, the Ponca Tribe would like to remain located in the City of Omaha. Expansion at the planned site would also enhance the emergency and disaster response resources available to the surrounding community through the Tribe’s integration with the Omaha Metropolitan Medical Response System and the local public health emergency response system.

The proposed project will expand the services provided both in terms of quantity of services as well as range of services. The proposed facility will increase the number of exam rooms to 28 exam rooms and 2 treatment rooms. The number of dental operatories/chairs will increase to 15. The proposed facility will provide space for a potential staffing level of 314 full time equivalents and would allow the following services to be offered or expanded: audiology, eye care, primary care, specialty care, diagnostic imaging, and rehabilitation. The area served by the Fred LeRoy Health and Wellness Center has become more developed, with a larger population seeking health care at the Center. The proposed project would allow the Center to provide services to the larger population.

1.5 Ponca Tribe of Nebraska’s Objectives

1.5.1 Objective #1

To expand the availability of high quality, modern, comprehensive, and accessible health care services and community space to Native Americans in and near Omaha, Nebraska.

1.5.2 Objective #2

To create increased opportunities for Native Americans in and near Omaha to manage and operate their own health programs.

1.6 Relevant Laws, Regulations, and Other Documents

The following laws, regulations, and other documents are pertinent to this evaluation:

- NEPA of 1969 (Public Law [PL] 91-190, 42 United States Code [U.S.C.] §4321-4347)
- 32 CFR §989, Environmental Impact Analysis Process
- 40 CFR §1500-1505, CEQ's Regulations on Implementing NEPA
- 50 CFR §402, Interagency Cooperation - Endangered Species Act of 1973, as amended
- U.S. Army Corps of Engineers wetlands policy
- Endangered Species Act (ESA) of 1973 (16 U.S.C. §1531-1542)
- Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. §703-712; Ch. 128; July 13, 1918; 40 Stat. 755)
- Archaeological Resources Protection Act (ARPA) of 1979
- National Historic Preservation Act (NHPA) of 1966 (36 CFR §800)
- Native American Graves Protection and Repatriation Act of 1991 (25 U.S.C. §3001 et seq.)
- EO 11988 - Floodplain Management
- EO 11990 - Protection of Wetlands
- EO 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low- Income Populations
- Clean Air Act of 1970 (42 U.S.C. §7401 et seq.)
- Clean Water Act of 1972 (33 U.S.C. §1251 et seq.)
- Pollution Prevention Act of 1990 (42 U.S.C. §13101 and §13102 et seq.)
- Considering Cumulative Effects under the National Environmental Policy Act, Council on Environmental Quality, January 1997
- CEQ document "Environmental Justice, Guidance Under the National Environmental Policy Act"
- HHS General Administration Manual Part 30 Environmental Protection

The following permits and approvals will be needed for the proposed project:

Unit of Government	Type of Application	Status
City of Omaha	Special Use Permit	In process
City of Omaha	Building Permit	To be Applied For
City of Omaha	Electrical Permit	To be Applied For
City of Omaha	Air Conditioning and Air Distribution Permit	To be Applied For
City of Omaha	Flammable Liquid Storage Permit	To be Applied for if necessary
City of Omaha	Fire Protection System Permit	To be Applied for
City of Omaha	Sign Permit	To be Applied for
Nebraska Department of Health and Human Services	NDHHS Project Notification (asbestos)	To be Applied for if necessary

1.7 Decisions That Must be Made

This environmental assessment provides an evaluation of the environmental effects of the proposed project and alternative actions. Based on this information, the Ponca Tribe of Nebraska will determine whether to proceed with the proposed project or take no action. Under NEPA, an environmental document must be prepared prior to final decisions regarding the proposed actions. If significant effects are identified, the Ponca Tribe of Nebraska would have the options to mitigate the impacts, conduct an Environmental Impact Statement (EIS) to address the Proposed Project, or determine that the project should not proceed as planned.

1.8 Scoping and Resource Issues

1.8.1 Scoping

The HHS Environmental Manual does not require that scoping or requesting early input before the analysis formally begins. Based on discussions with the Ponca Tribe of Nebraska and a preliminary review of the potential impacts of the proposed project, attached as Appendix A, scoping letters were not sent.

1.8.2 Relevant Resource Issues

The HHS Environmental Manual and Federal regulations require certain topics be addressed as part of a NEPA analysis. The following resource areas are discussed in detail in this EA:

- Air Quality
- Water Resources (wetlands, floodplains, groundwater, surface water)
- Soil and Geological
- Vegetation

- Wildlife (including threatened and endangered species and invasive species)
- Recreation
- Soundscape
- Visual
- Historic Properties
- Socioeconomic Issues
- Environmental Justice
- Land Use
- Public Service and Infrastructure (water supply, wastewater, solid waste, law enforcement, telephone, gas, fire protection)

Each of these resources are discussed in detail in Section 3.

1.8.3 Resources/Issues Eliminated from Detailed Study

As discussed above, the HHS Environmental Manual and Federal regulations require certain topics be addressed as part of a NEPA analysis. The following resources/issues were eliminated from detailed study:

- Coastal Resources: there are no coastal resources located in the area of the proposed project. Therefore, these resources were eliminated from detailed study.
- Sole Source Aquifer: there are no sole source aquifers located within the City of Omaha or in the area of the proposed project. Therefore, these resources were eliminated from detailed study.

2.0 Alternatives

2.1 Introduction

The HHS Environmental Manual requires the evaluation of alternatives. The alternatives evaluated for this EA are: No action and the Proposed Action. The No Action alternative was evaluated to provide a baseline against which the effects of the Proposed Project could be compared. Details on the alternatives considered are provided in the sections below.

Other potential alternatives that were considered are also described in the sections below. The potential effects of these other alternatives were not analyzed in detail because they did not adequately meet the purpose and need of the project.

2.2 Descriptions of Alternatives

2.2.1 Alternative A (No Action)

The Ponca Tribe of Nebraska currently operates the Fred LeRoy Health and Wellness Center at 2602 J Street, Omaha, Nebraska. Services at the current location are limited due to the size of the building. Currently there is a Medical Director, two Family Nursing Practitioners, a Dental Officer, and one Dentist. The pharmacy staff includes a Chief Pharmacist and a Pharmacy Technician. The medical clinic reports a waiting time of 1 – 3 weeks to be seen by a provider, depending on the need for care. The dental clinic has a wait time of 1 – 2 weeks for an existing patient and 5 months for a new patient. There is no space for specialty services, such as x-ray. Patients who need specialty services are referred out to the general community. However, most of the patients of the current facility do not have the resources to procure those specialty services and so go without. The existing facility is in need of major repairs to remain in compliance with applicable codes and healthcare delivery standards, and can no longer support the health care needs of the native population.

Under the No Action Alternative, this center would continue to provide services at this location but would not be able to expand its services to tribal and non-tribal members or provide services to much of the general public and would not be able to complete the major repairs or upgrades necessary to provide modern medical services. In addition, the current location does not have childcare services or provide an area for cultural programming.

2.2.2 Alternative B – Proposed Project

The Ponca Tribe of Nebraska has purchased the former InfoGroup Headquarters property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the campus for Tribal Services, Health Services, Community Center, Transportation Center, Sweat Lodge and incidental uses. The ±11.23-acre Site is made up of 7 separate parcels, containing a ±156,000 SF office building, a ±16,000 SF office building, and a ±9,000 out building with surrounding parking lots and Site appurtenances. Site Improvements that will be made to support the Ponca Tribe's uses include:

- Repurposing a corporate campus that has been vacant for 6 years
- Interior renovation of the main building to serve as clinics, offices, and childcare facilities

- Interior renovation of the other two buildings to serve as offices and a transportation center for vehicles owned by the Tribe
- Parking Lot reconstruction with the addition of a significant amount of street boulevards, sidewalks, and green space landscaping
- Addition of vehicular connectivity between the 5 easternmost parcels, which will reduce trips on S. 85th Circle, Park Drive, and S. 86th Circle that would otherwise have to drive around to access the adjacent parking lot
- Addition of a parking deck including elevator and stairwell structures to connect the easternmost lower parcels with the main building
- New cultural building with significant landscape screening on the westernmost parcels
- Stormwater Treatment for the disturbed impervious area

The site location is shown on Figure 1. The existing conditions are shown on Figure 2, and the proposed project is shown on Figure 3. The proposed project will provide space to adequately staffed health care delivery programs and will improve access to the basic medical services that are necessary to maintain and promote health status and quality of life for the residents in the service area.

2.2.3 Alternatives Considered but Eliminated from Evaluation

The following potential alternatives were considered during development of the Proposed Action but were dismissed from further analysis.

- Expand at existing location: The current facility is located within a residential neighborhood in Omaha. There is no space for expansions, and the building is beyond its usable life. There is limited parking and poor traffic flow, and the building itself is not ADA accessible. The area surrounding the current location is not a relatively safe location for staff or patients, as evidenced by the fact that vehicles of staff and patients have been damaged or stolen from street parking. For these reasons, expanding the existing location was dismissed from further analysis.
- Build at new location outside Omaha: Construction of a new facility at an undisturbed location, likely outside of Omaha, was dismissed from further analysis as it would not provide access to tribal members living within Omaha and could present transportation issues. The new location, if outside Omaha, would not be able to serve as many people as it could in the proposed location.

2.3 Comparison of Alternatives

2.3.1 How Each Alternative Achieves Project Objectives

Each alternative was compared to the project objectives discussed in Section 1.5. Alternative A, the No Action Alternative, does not meet the project objectives as it does not provide increased opportunities for updated health care or additional health care services. It also does not provide additional space for community programming.

The Proposed Project, Alternative B, meets the project objectives. The Proposed Project will utilize existing buildings to provide new, modern health care facilities, and is larger than the existing location so that the range of services can be expanded. In addition, it provides space for cultural activities, which is limited at the existing location. The Proposed Project meets the second objective by creating job opportunities in health care.

2.3.2 Method of Analysis of Effects

In accordance with the HHS Environmental Manual, the analysis in this EA discusses direct, indirect, and cumulative impacts. These impacts are defined in the HHS Environmental Manual as follows:

- *Direct Impacts* occur at the same time and place.
- *Indirect Impacts* occur later in time or farther away, but are still reasonably foreseeable.
- *Cumulative Impacts* are those that result from the incremental impact of the action when added to other past, present, and other reasonably foreseeable future actions, regardless of what agency or individual undertakes those other actions.

In addition to the types of effect, effects are further characterized by type of impact (beneficial or adverse), size/context, length of time (duration), and intensity (negligible, minor, or major). This EA also includes discussions on their significance for each alternative, and any proposed mitigation, if warranted.

2.3.3 Summary of Environmental Consequences

The following is a summary of the environmental consequences. The full analysis of each of the environmental consequences is discussed in Section 3. Additional information regarding each resource evaluated can be found in Section 3.

Table 2-1 Summary of Environmental Consequences

Resource	Alternative	Type of impact (beneficial or adverse)	Type of impact (direct, indirect, cumulative)	Intensity	Duration
Air Quality	No action	None	---	---	---
	Proposed action	Adverse	Direct	Negligible	Short term and long term
Water Resources	No action	None	---	---	---
	Proposed Action	*	*	*	*
Soil and Geologic Resources	No action	None	---	---	---
	Proposed Action	None	---	---	---
Vegetation	No action	None	---	---	---
	Proposed Action	Adverse	Direct	Negligible	Short term
Recreation Resources	No action	None	---	---	---
	Proposed Action	None	---	---	---
Soundscape Resources	No action	None	---	---	---
	Proposed Action	Adverse	Direct	Minor	Short term
Visual Resources	No action	None	---	---	---
	Proposed Action	Beneficial	Direct	Minor	Long term
Historical Properties	No action	None	---	---	---
	Proposed Action	None	---	---	---
Socioeconomic Issues	No action	Adverse	Indirect	Major	Long term
	Proposed action	Beneficial	Direct and indirect	Major	Long term
Environmental Justice	No action	Adverse	Direct and indirect	Minor	Long term
	Proposed action	Beneficial	Direct and indirect	Major	Long term
Land Use	No action	None	---	---	---
	Proposed Action	Adverse	Direct	Negligible	Long term
Public Service and Infrastructure	No action	Adverse	Direct and indirect	Negligible	Long term
	Proposed Action	Beneficial	Direct	Minor	Long term
Additional Considerations	No action	None	---	---	---
	Proposed Action	Adverse	Direct	Minor	Long term and short term

*This resource evaluation has several components, each of which have a different impact. Please see Section 3 for a discussion of this resource.

3.0 Affected Environment and Environmental Consequences

3.1 Introduction

The following sections provide an evaluation of the effects of the No Action Alternative and the Proposed Project (Preferred Alternative) on each of the resources listed in Section 1.8.

3.2 General Description

The site is approximately 11 acres in size and is currently occupied by three vacant commercial buildings and paved parking areas. The main building is approximately 128,000 square feet, the administrative building is approximately 17,000 square feet, and the transportation building is 8,750 square feet. The main building and the administrative building are connected by a skyway. A Site Location map is provided as Figure 1, and the existing conditions are shown on Figure 2.

The site is located in a general commercial area with commercial properties located adjacent to the site. A school transportation facility is located to the north, and a public school is located a block to the west.

3.3 Air Quality

The federal Clean Air Act (CAA) of 1970 and subsequent revisions contain requirements that relate to air pollution from both “stationary sources” and “mobile sources”. Under the CAA the Environmental Protection Agency (EPA) sets limits on the amount of air pollution coming from sources such as industrial facilities and vehicles as well as sets limits on the amount of pollution that can be in the air. In many cases, EPA delegates the implementation of these rules to states and tribal governments. States, tribes, and local governments may also have their own air quality regulations.

EPA regulates the amount of size common air pollutants (known as “criteria pollutants”). These criteria pollutants are particulate pollution (particulate matter less than or equal to 10 microns in diameter or PM₁₀ and particulate matter less than or equal to 2.5 microns in diameter or PM_{2.5}), ground-level ozone (O₃), carbon monoxide (CO), sulfur dioxide (SO₂), nitrogen oxides (NO_x), and lead. Ozone is not generally directly emitted from sources of air pollution, but rather formed in the atmosphere from its precursors NO_x and volatile organic compounds (VOCs). The permissible levels of each of these pollutants in the air are the National Ambient Air Quality Standards or “NAAQS”. There are two sets of NAAQS standards. Primary standards are designed to protect human health and secondary standards are designed to protect the environment (protect against decreased visibility and damage to animals, crops,

vegetation, and buildings. A geographic area with air quality that is cleaner than the primary standard is called an “attainment” area. Areas that do not meet these standards are called “non-attainment” areas, and areas that have been cleaned up to meet the standard are called “maintenance areas.” The state of Nebraska has also established the Nebraska Air Quality standards set forth in NDEE title 129 these standards incorporate the NAAQS standards, but also include an additional standard for total reduced sulfur.

States or Tribes, if authorized to do so under the Tribal Authority Rule, are required to prepare and submit to the EPA for approval a State Implementation Plan (SIP) or Tribal Implementation Plan (TIP) that outlines how a state or tribe respectively will maintain or attain the NAAQS. The Ponca tribe does not have a TIP, so the areas assessed for both the existing and proposed sites are governed by EPA and Nebraska’s SIP. Section 176(c) of the CAA prohibits Federal entities from taking actions in nonattainment or maintenance areas which do not conform to the SIP.

EPA also regulates 187 hazardous air pollutants (HAPs) which are pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. Other important air pollutants include greenhouse gases. Changes to the global climate are due to a buildup of greenhouse gases in our atmosphere and the warming of the planet due to the greenhouse effect. The most prevalent greenhouse gases include carbon dioxide, methane, nitrous oxide, and fluorinated gases.

3.3.1 Existing Conditions

It is unknown whether the previous operations at the InfoGroup Headquarters were authorized under an air emissions permit; however, given that the campus is no longer in use it is expected that any air emissions associated with the current site are from combustion of fossil fuels for building heat and/or hot water which produce criteria pollutants, HAPs, and GHGs; particulate matter from resuspension of loose material as vehicles travel over roadways and parking lots; and any tailpipe emissions from any vehicle traffic associating with the site which include criteria pollutants, HAPs, and GHGs.

The area around the site consists of several commercial and industrial properties and roadways which all likely contribute to the ambient air quality in the area. The site is in Douglas County which is in attainment with the NAAQS.

3.3.2 Effects of Alternative A on Air Quality

The current Fred LeRoy Health and Wellness Center has air emissions consistent with clinics or wellness centers and consists of combustion of fossil fuels for heat and/or hot water which emits criteria pollutants, HAPs, and GHGs; particulate matter from resuspension of loose material as vehicles travel over roadways and parking lots; tailpipe emissions from vehicle traffic associating with the site which

include criteria pollutants, HAPs, and GHGs, and small amounts of VOC emissions from janitorial, cleaning, or sterilizing activities. There is little effect on air quality in the area from air emissions associated with Alternative A. Alternative A does not include any changes to the current Fred LeRoy Health and Wellness Center and therefore there would be no change in air quality under Alternative A.

3.3.3 Effects of Alternative B on Air Quality

The construction of the proposed project will generate dust. Construction is anticipated to last approximately 8 months. Fugitive dust is expected from the handling of soils or other silt-containing or dusty material, including activities associated with demolition and debris removal, site preparation, construction, and wind erosion of storage piles. Fugitive dust is also expected from resuspension of loose material on both paved and unpaved roads from construction vehicle traffic. The amount of fugitive dust generated will vary by the type of construction activity, the level of activity, and the prevailing meteorological conditions. Effects on air quality from fugitive dust generated from construction activities will be temporary and localized.

Once operational, the expected emissions from Alternative B are combustion of fossil fuels for heat and hot water which emits criteria pollutants, HAPs, and GHGs; particulate matter from resuspension of loose material as vehicles travel over roadways and parking lots; tailpipe emissions from vehicle traffic associated with the site which include criteria pollutants, HAPs, and GHGs, and small amounts of VOC emissions from janitorial, cleaning, or sterilizing activities. It is expected that the magnitude of emissions generated by Alternative B is greater than Alternative A because of the size of the site and buildings, however the anticipated contribution to overall air quality in the area is expected to be minimal.

Alternative B is located in Douglas County. As shown in Appendix B, Douglas County is in attainment with the NAAQS and therefore a conformity determination is not required under 40 CFR Section 93.153.

3.4 Water Resources

This section discusses the Clean Water Act, which includes wetlands, wastewater discharges, and stormwater discharges, the Rivers and Harbors Act, the Safe Drinking Water Act, and Executive Order 11988 – Floodplains.

3.4.1 Existing Conditions

According to the National Wetland Inventory map, attached as Appendix C, no wetlands are located on or adjacent to the site. Wastewater and stormwater are discharged to the City of Omaha public utilities through existing sanitary and stormwater utilities connected to the site. A map of existing City of Omaha utilities is attached as Appendix D. Drinking water is provided by the Metropolitan Utilities District through existing utility connections. According to FEMA, the site is not located within a floodplain. The FEMA map is attached as Appendix E.

3.4.2 Effects of Alternative A on Water Resources

This alternative would have no effect on water resources.

3.4.3 Effects of Alternative B on Water Resources

This alternative would have no effect on wetlands or floodplains as these items are not present at the site.

This alternative would have negligible indirect impacts on wastewater discharge. The site is already connected to the City of Omaha public utilities for wastewater and stormwater. It is anticipated that wastewater discharges will be similar to when the buildings were previously occupied. There will be an increase in wastewater discharge when the cultural building is constructed, as no building is currently in this location. Based on information available on the City of Omaha website, the increased discharge is expected to be within the capacity of the City of Omaha utility network and processing plants.

This alternative would have a long term beneficial direct impact on stormwater quality. As the external construction is less than one acre, the proposed project will not require a NPDES-CSW permit. However, stormwater runoff during construction will be managed as part of the construction process. The proposed project includes reducing a currently paved parking area and constructing a stormwater management area. This will be a beneficial effect on stormwater in the area.

This alternative would have negligible indirect impacts on water usage. The site is already connected to the Metropolitan Utilities District for water. It is anticipated that water usage at the site will be similar to when the buildings were previously occupied. There will be an increase in water usage when the cultural building is constructed, as no building is currently in this location. Based on information available on the Metropolitan Utilities District website, the increased usage is expected to be within the capacity of the Metropolitan Utilities District services.

3.5 Soil and Geologic Resources

This section discusses soil and geologic resources and conditions, including the Farmland Protection Policy Act (FPPA) and known geologic hazards.

3.5.1 Existing Conditions

According to the USDA Soil Survey, soils at the site are all urban land-udarents complex, 0 to 16 percent slope. This soil is not considered to be prime or unique farmland, farmland of statewide or local importance, or prime rangeland or rangeland or grassland of statewide importance. A copy of the soil survey for the site is attached as Appendix F. Based on review of the State of Nebraska Hazard Mitigation Plan, there are no known geologic hazardous in the area of the site.

3.5.2 Effects of Alternative A on Soil and Geologic Resources

This alternative would have no impact on soil and geologic resources.

3.5.3 Effects of Alternative B on Soil and Geologic Resources

This alternative would have no impact on soil and geologic resources. While soil disturbances are planned in connection with construction of a new parking lot, stormwater feature, and cultural center, the soils in those area are not farmland or rangeland.

3.6 Vegetation Resources

3.6.1 Existing Conditions

The site is currently developed with buildings and parking areas. Some landscaped areas with grass and shrubs are present along the edges of the parking areas.

3.6.2 Effects of Alternative A on Vegetation Resources

This alternative would have no effect on vegetation resources.

3.6.3 Effects of Alternative B on Vegetation Resources

This alternative would have a minor beneficial direct impact on vegetation resources. The proposed plan includes new landscaped areas along the eastern portion of the site, including a stormwater management area. Landscaping will be improved in some areas around the existing buildings and parking lots.

3.7 Wildlife Resources

Since the project area is currently developed, it provides minimal habitat for wildlife. Online queries were made to the US Fish and Wildlife Service (USFWS) and the Nebraska Game and Parks Commission (NGPC) to evaluate the proposed project's potential effects to state and federal threatened or endangered species. The query to USFWS was completed through the Information for Planning and Conservation (IPaC) tool and consultation with the NGPC was completed using the Nebraska Conservation and Environmental Review Tool (CERT). The results of these database queries are provided in Appendix G.

3.7.1 Existing Conditions

Landcover within the project area consists primarily of buildings and paved parking lots with associated drive lanes. Vegetation and tree cover is limited to narrow areas between buildings, parking lot islands and the boulevard of South 86th Circle. The vegetation present consists of turf grasses with mature trees located primarily along parking lot edges and the South 86th Circle boulevard. The boulevard trees and

those within the landscaped parking lot islands may provide limited habitat for nesting or foraging passerine birds. These trees may also provide potential roosting habitat for the northern long-eared bat. Small mammals and larger birds are likely present only in very small numbers or as transient visitors. Due to the surrounding development and proximity to highways, commercial areas and residential neighborhoods, there is no habitat for large mammals. The lack of water resources on the Site yields an absence of habitat for aquatic birds, fish, mammals, and invertebrates.

The IPaC query identified four threatened or endangered species within the vicinity of the project area which are listed in Table 3-1 below:

Table 3-1 Federally Protected Species

Species	Common Name	Type of Organism	Federal Status
<i>Myotis septentrionalis</i>	Northern long-eared bat	Mammal	Threatened
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	Fish	Endangered
<i>Charadrius melodus</i>	Piping Plover	Bird	Threatened
<i>Platanthera praeclara</i>	Western Prairie Fringed Orchid	Vascular Plant	Threatened

Five migratory birds that are either Birds of Conservation Concern (BCC) or otherwise warrant concern in the region were also identified in the IPaC query. This does not represent all migratory birds that may occur in vicinity of the Site. All migratory birds are protected under the Migratory Bird Treaty Act (MBTA).

Consultation with NGCP through the Nebraska Conservation and Environmental Review Tool (CERT) identified two additional state listed species that have documented occurrences within the vicinity of the project area:

Table 3-2 Nebraska Listed Species

Species	Common Name	Type of Organism	State Status
<i>Panax quinquefolius</i>	American Ginseng	Vascular Plant	Threatened
<i>Macrhybopsis gelida</i>	Surgeon Chub	Fish	Endangered

While invasive species are not known to be present at the site, it is possible weeds, introduced, and potentially invasive plant species are present within vegetated portions of the project area from historic disturbances and landscaping.

3.7.2 Effects of Alternative A on Wildlife Resources

Under Alternative A, no construction or disturbance would occur within the project area and no impacts to wildlife or protected species would occur.

3.7.3 Effects of Alternative B on Wildlife Resources

Under Alternative B (the Proposed Project), construction would occur and would involve renovation or reconstruction of existing buildings, greenspaces and parking lots. Expansion of greenspace and landscaping work will also occur and include planting of additional trees, which would provide additional nesting habitat for migratory birds. Construction will also involve tree removal, which may negatively impact migratory birds depending on the timing of tree clearing activities.

Overall, the proposed project is not anticipated to significantly affect wildlife since minimal existing habitat is present, and would therefore have a negligible, adverse direct impact. No forests, prairies or water resources are present to provide suitable habitat, and therefore the project will have no effect on the American ginseng, pallid sturgeon, piping plover, surgeon chub or western prairie fringed orchid.

While the trees within the project area may provide potential roosting habitat for the northern long-eared bat, it is unlikely to be present due to the extensive surrounding development and the developed nature of the site. While unlikely to occur, any take of Northern Long-eared Bats from the proposed project would be incidental and covered under the USFWS *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions*. A verification letter from the USFWS for the 4(d) rule's applicability to the proposed project is included as Appendix H.

The following actions are recommended for implementation during proposed project construction to minimize impacts to wildlife and prevent the spread of invasive vegetation species:

- Conduct tree clearing from October 1- March 31 to avoid impacts to nesting migratory birds (nesting season is typically April- September for most species in Nebraska).
- Prevent or limit the introduction, establishment, and spread of invasive plant species by inspecting equipment prior to entering Project Area, monitoring equipment and maintaining clean working equipment and conditions.
- Use native or naturalized plant species adapted to Nebraska's climate in landscaping and managed or control establishment and growth of any invasive vegetation.

3.8 Recreation Resources

This section evaluates recreation resources including wilderness areas, scenic rivers, and parks.

3.8.1 Existing Conditions

The site is currently fully developed with buildings and parking areas. No wilderness areas, rivers, or parks are present on or in the area of the site. Recreation areas are present within 0.5 mile to the west of the site at the Ralston High School. A map of the area with parks is attached as Appendix I.

3.8.2 Effects of Alternative A on Recreation Resources

This alternative will have no effect on recreation resources.

3.8.3 Effects of Alternative B on Recreation Resources

The proposed project, alternative B, will have no effect on recreation resources. The proposed project will have no impact land use on the surrounding area and will have no effect on the park area present to the west.

3.9 Soundscape Resources

This section evaluates noise and noise-sensitive receptors. Noise is defined as unwanted sound. The degree to which noise disturbs others can be subjective and depends upon its intensity. The loudness of a sound is measured in units called decibels (dB). "A-weighted" decibel (dB(A)) measurements are used to characterize sound levels that can be sensed by the human ear. "A-weighted" denotes the adjustment of the frequency content of a noise event to represent the way in which the average human ear responds to the noise event. The EPA identifies 24-hour exposure levels in excess of 45 dBA indoors and 55 dBA outdoors as interfering with activities and causing annoyance (US EPA, 1974). Levels below these noise thresholds permit spoken conversation and other activities such as sleeping, working, and recreation. Response to noise can vary greatly from person-to-person. Factors that influence individual response to noise include the intensity, frequency, and pattern of noise, the amount of background noise present prior to the addition of a new source, and the nature of work or human activity that is exposed to the noise source. It is generally accepted that the smallest perceptible change in sound level for a person of normal hearing sensitivity is approximately three decibels. A change of at least five decibels would be noticeable and would likely evoke a community reaction. A ten-decibel increase is subjectively heard as approximately a doubling in loudness and would most likely elicit a community response.

Omaha municipal code at Chapter 17 contains regulations related to noise control. Chapter 17 addresses noise related to construction activities and vehicles. Additionally, chapter 18 prohibits certain nuisances included excessive noise.

3.9.1 Existing Conditions

Noise associated with the existing conditions are expected to be typical of commercial areas. The site is approximately 650 feet to the west of a busy roadway, NE-85, with an annual average daily traffic count of approximately 22,000 vehicles. The site is also approximately 250 feet north of an active railroad. Based on a desktop review of businesses in the area, no potential loud impulse sounds were identified. It is expected that the largest contributor to noise in the area is traffic noise from NE-85.

Noise estimates from vehicle traffic, nearby airports, and railroads are available through the US Department of Transportation’s online National Transportation Noise Map (Appendix J). The data presented in the National Transportation Noise Map is in 24-hour equivalent sound level. The site is outside of the 45.0-49.9 dBA noise contours.

3.9.2 Effects of Alternative A on Soundscape Resources

This alternative, the no action alternative, will have no effect on soundscape resources.

3.9.3 Effects of Alternative B on Soundscape Resources

Noise-sensitive receptors are land uses that are considered sensitive to noise impacts and consist of, but are not limited to, schools, residences, libraries, schools, and other care facilities. Sensitive receptors within approximately 1000 feet of the project site include Ralston High School, Glow Church, Ralston Park, and residences.

Noise associated with construction of the project will be typical of the noise impacts from construction and will be limited to the duration of the construction phase of the project. Table 3-3 below provides average peak noise levels from typical construction equipment. Noise levels will vary throughout the course of construction based on the type of equipment in operation at any given time. The sensitive receptors are all over 500 feet from the site.

Table . Peak Noise Levels from Construction Equipment (dB)

Equipment	Peak at Source	Distance from Source (feet)			
		50	100	200	400
Heavy Trucks	95	84-89	78-83	72-77	66-71
Dump Trucks	108	88	82	76	70
Concrete Mixer	105	85	79	73	67
Jackhammer	108	88	82	76	70
Scraper	93	80-89	74-82	68-77	60-71
Dozer	107	87-102	81-96	75-90	69-84
Generator	96	76	70	64	58
Crane	104	75-88	69-82	63-76	55-70

Equipment	Peak at Source	Distance from Source (feet)			
		50	100	200	400
Loader	104	73-86	67-80	61-74	55-68
Grader	108	88-91	82-85	76-79	70-73
Dragline	105	85	79	73	67
Pile Driver	105	95	89	83	77
Fork Lift	100	95	89	83	77

(Golden et. Al. 1980)

Section 17-1 of the Omaha Code of Ordinances prohibits the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other appliance, the use of which is attended by loud or unusual noise between the hours of 10:00 p.m. and 7:00 a.m.

Noise generated from the site after construction is expected to be minimal. Noise from vehicle traffic associated with the project is expected to be negligible compared to the noise from surrounding roadways. Therefore, the proposed project is not expected to contribute to excessive noise or nonconformance with the noise standards off-site.

3.10 Visual Resources

This section evaluates the visual impact on the site and surrounding areas.

3.10.1 Existing Conditions

The site is located in an urban area with a mixture of commercial buildings. Residential buildings are not present in the area of the site. The current buildings on the site are similar in height to the surrounding buildings.

3.10.2 Effects of Alternative A on Visual Resources

This alternative would have no effect on visual resources.

3.10.3 Effects of Alternative B on Visual Resources

The proposed project, alternative B, would have minor beneficial direct effect on visual resources. As part of the proposed project, the buildings and landscape would be updated and a single-story parking garage would be added. Updating the buildings and landscaping would have a minor beneficial effect.

3.11 Historical Properties

The Ponca Tribe of Nebraska is required by Section 106 of the National Historic Preservation Act of 1966 (NHPA) to take into account the effects of its undertakings on historic properties. As part of this process, the appropriate State Historic Preservation Officer (SHPO), and/or the appropriate Tribal Historic Preservation Officer (THPO) must be consulted.

3.11.1 Existing Conditions

The site and adjacent properties are not listed on the National Register of Historic Places. A map identifying buildings on the National Register of Historic Places is attached as Appendix K.

3.11.2 Effects of Alternative A on Historic Properties

This alternative, the no action alternative, would have no effect on historic properties.

3.11.3 Effects of Alternative B on Historic Properties

A request for Section 106 review was submitted to the State Historic Preservation Office using the History Nebraska Historic Preservation online form on September 9, 2021. A response was received on September 10, 2021, indicating that no historic properties affected by the proposed project. A copy of the response is attached as Appendix L.

A request for Tribal Historic and Cultural Resources Review was sent on September 9, 2021. A response was received on October 7, 2021, indicating that no Ponca archeological, historic, Traditional Cultural Places, or sacred sites are present in or near the proposed project. A copy of the response is attached as Appendix L.

3.12 Socioeconomic Issues

This section evaluates the social and economic issues. Social issues are population, land use, and public safety. Land use is specifically discussed in Section 3.14. Economic issues are local economics, labor markets, and land values.

3.12.1 Existing Conditions

The site is currently vacant.

3.12.2 Effects of Alternative A on Socioeconomic Issues

This alternative would have a moderate adverse indirect effect on socioeconomic issues. The Fred LeRoy Health and Wellness Center would not be able to grow with the demand for health care services in the area and Native Americans would become increasingly underserved. Those who are unable to afford health care by alternative providers in the area would do without or go into debt. Other lower income health care providers would be increasingly burdened by those who would not be served by the current Fred LeRoy Health and Wellness Center.

3.12.3 Effects of Alternative B on Socioeconomic Issues

The proposed project, alternative B, would have beneficial direct and indirect impacts on socioeconomic issues.

The new Fred LeRoy Health and Wellness Center would increase the capacity for providing health care services to Native Americans and others in the area in times of disaster. Health care services provided would be expanded from the services currently offered to include primary health, behavioral health, physical therapy, wellness center, pharmacy, imaging, lab, optical, dental, Tribal health, and health education.

3.13 Environmental Justice

This section analyzes effects on environmental justice, which is directed by Executive Order (EO) 12898. EO 12898 requires the Ponca Tribe of Nebraska to identify and address whether the proposed action results in disproportionately high and adverse environmental and health impacts on low income or minority populations.

3.13.1 Existing Conditions

The site is located with a commercial district. Based on data for EPA's EJScreen, the census block that contains the site contains 34% people of color and 51% low income (less than or equal to twice the federal poverty level) population. The average for the area within a 1-mile radius around the site is 21% people of color and 25% low-income population.

3.13.2 Effects of Alternative A on Environmental Justice

Alternative A, the no action proposal, would have both an adverse and beneficial direct and indirect impact on low income or minority populations. Under this alternative, services would continue to be offered at the current location, which is an area of high percentage of low-income populations and people of color. According to data from EPA's EJScreen, 90% of the population in the census block group containing the site are people of color and 79% of the population within a 1-mile radius of the site are

people of color. 69% of the population in the census block containing the site are low income and 63% of the population within a 1-mile radius of the site are low income. Alternative A retains the services provided by the existing Fred LeRoy Health and Wellness Center within a community with a high proportion of low income and people of color.

However, under Alternative A no additional services would be added and updates to equipment and location would be minimal. This would limit the availability of health and wellness services to Native Americans and low-income individuals.

3.13.3 Effects of Alternative B on Environmental Justice

The proposed project, alternative B, would have both an adverse beneficial direct and indirect impact on environmental justice. The proposed project would allow the Fred LeRoy Health and Wellness Center to expand the range and number of services available. This would allow more Native Americans and, as needed, low-income individuals to have access to quality health care at a modern, updated facility.

Under this alternative the facility is moved approximately six miles to the west of its previous location and therefore may not be as accessible to low-income populations and people of color that it served in its previous location, especially those populations with limited access to transportation.

3.14 Land Use

This section analysis the impacts on land use. Land use includes any human modification of land and land use planning.

3.14.1 Existing Conditions

The site is composed of seven parcels that are occupied by vacant commercial buildings and parking lots. The site is currently zoned GI (General Industrial) with a planned Future Land Use of Office Commercial. According to the City of Omaha, “the GI General Industrial District is intended to accommodate a variety of commercial and industrial uses with moderate external effects. The GI district provides for conditional approval of uses with more significant effects that can be controlled through specific requirements.”

3.14.2 Effects of Alternative A on Land Use

Alternative A will have no effect on land use. The buildings on the site would remain GI, and the existing health center is already permitted.

3.14.3 Effects of Alternative B on Land Use

The proposed project would have a negligible effect on land use. A Large Project Special Use Permit would be needed for the proposed project as follows:

Table 3-4 Permitting Requirements

Proposed Use	Description	Permitted GI Zoning
Tribal Services Offices	<ul style="list-style-type: none"> ▪ Offices and support functions to serve Tribal Headquarters ▪ 1600SF in main building, 1600 SF in Executive Offices Building ▪ 5,000 SF of expansion space on the lower level of the Main Building 	Conditional Use (CUP)
Health Clinic	<ul style="list-style-type: none"> ▪ Serves Ponca Tribe members as well as other Native Americans and non-Natives ▪ Services include: Primary health, Behavioral Health, Physical Therapy, Wellness Center, Pharmacy, Imaging, Lab, Optical, Dental, Tribal Health, Administration and Health Education. ▪ 125,00 SF (20,000 SF being mechanical/BOH area) 	Special Use (SUP)
Childcare Space	<ul style="list-style-type: none"> ▪ 5,000 SF space repurposed inside of the Main Building 	Conditional Use (CUP)
Community Gathering Space	<ul style="list-style-type: none"> ▪ 5,000 SF space repurposed inside of the Main Building for community events 	Conditional Use (CUP)
Transportation Center	<ul style="list-style-type: none"> ▪ Repurposing of the eastern most building to provide storage for 20-30 vans which the Tribe uses to transport people to and from the Health Services Building ▪ 9,000 SF 	Permitted
Cultural Building	<ul style="list-style-type: none"> ▪ New 3,500 SF building to support the outdoor ceremonial sweat lodge 	Conditional Use (CUP)
Parking Structure	<ul style="list-style-type: none"> ▪ 143 stall single-story deck over at grade parking 	Permitted
Large Project SUP	<ul style="list-style-type: none"> ▪ For projects over 10 acres, requested to encompass the above uses 	Special Use (SUP)

3.15 Public Service and Infrastructure

This section discusses solid waste, law enforcement, telephone, natural gas, fire protection, and public transportation.

3.15.1 Existing Conditions

The site is currently developed with commercial buildings that are connected to public utilities, including natural gas and telephone/communication services. The site is served by public services, such as law enforcement and fire protection.

3.15.2 Effects of Alternative A on Public Service and Infrastructure

This alternative would have negligible direct and indirect effects on law enforcement as normal levels of vehicle theft and damage incidents would continue to occur at the existing building.

3.15.3 Effects of Alternative B on Public Service and Infrastructure

The proposed project, Alternative B, would have a minor beneficial direct effect on public service and infrastructure. The site area is currently developed and served by public service and infrastructure. The existing buildings would be renovated, increasing fire safety, and occupied, which could limit law enforcement as the buildings would no longer be targets for vandalism or break ins.

3.16 Additional Considerations

This section discusses other environmental considerations that are applicable to this evaluation. Specifically, this section discusses hazardous materials, hazardous waste, and medical waste.

3.16.1 Existing Conditions

The site is currently vacant, and therefore does not use hazardous materials or generate hazardous waste or medical waste. It is likely that hazardous materials, such as asbestos-containing materials, are present at the site.

3.16.2 Effects of Alternative A on Additional Considerations

The no action alternative, Alternative A, would have no effect on these additional considerations. The current location currently uses minor quantities of hazardous materials, such as for cleaning and disinfecting, and generates hazardous waste and medical waste as part of the clinic operations. There would be no change in the materials used or the waste generated.

3.16.3 Effects of Alternative B on Additional Considerations

The proposed project, Alternative B, would have a moderate adverse direct effect on these additional considerations. The proposed project would use hazardous materials, such as fuels, during the construction phase. Once the construction was complete, the facility would use hazardous materials, such as for cleaning and disinfecting, as it does at the current facility, but would increase the amount used as the space and clinic needs would be greater. In addition, it would be expected that the facility would generate increased hazardous and medical waste from clinic operations. There are commercial waste services in the area with capacity to haul and dispose of these increased wastes.

It is likely that asbestos-containing materials are present at the site. An asbestos survey will be completed for any areas of the existing buildings which will be renovated. If asbestos is present in areas to be renovated, the materials will be abated or protected from damage, as appropriate.

3.17 Unavoidable Adverse Effects

The proposed action will have an unavoidable minor adverse effect on additional considerations.

3.18 Relationship of Short-Term Uses and Long-Term Productivity

In the short term, the current location will continue to provide medical and dental services. However, in the long term, productivity would decline as the building falls further into disrepair and is not able to add newer medical services. In addition, the existing facility would not be able to maintain the service levels as population increases.

The proposed project would have a long-term beneficial effect on productivity. It would allow increased services in terms of both capacity and range of services. While the proposed project is being constructed, there would be no increases of services in the short term, as the existing facility would continue to be used until the proposed project was complete.

3.19 Irreversible and Irretrievable Commitments of Resources

The proposed project would require a temporary increase in traffic, energy use, and materials while the existing buildings are under renovation and the parking garage was in construction. These increases would be temporary in nature. The existing energy supplies and materials available in the area would be able to handle the temporary increase until construction is complete.

4.0 List of Preparers

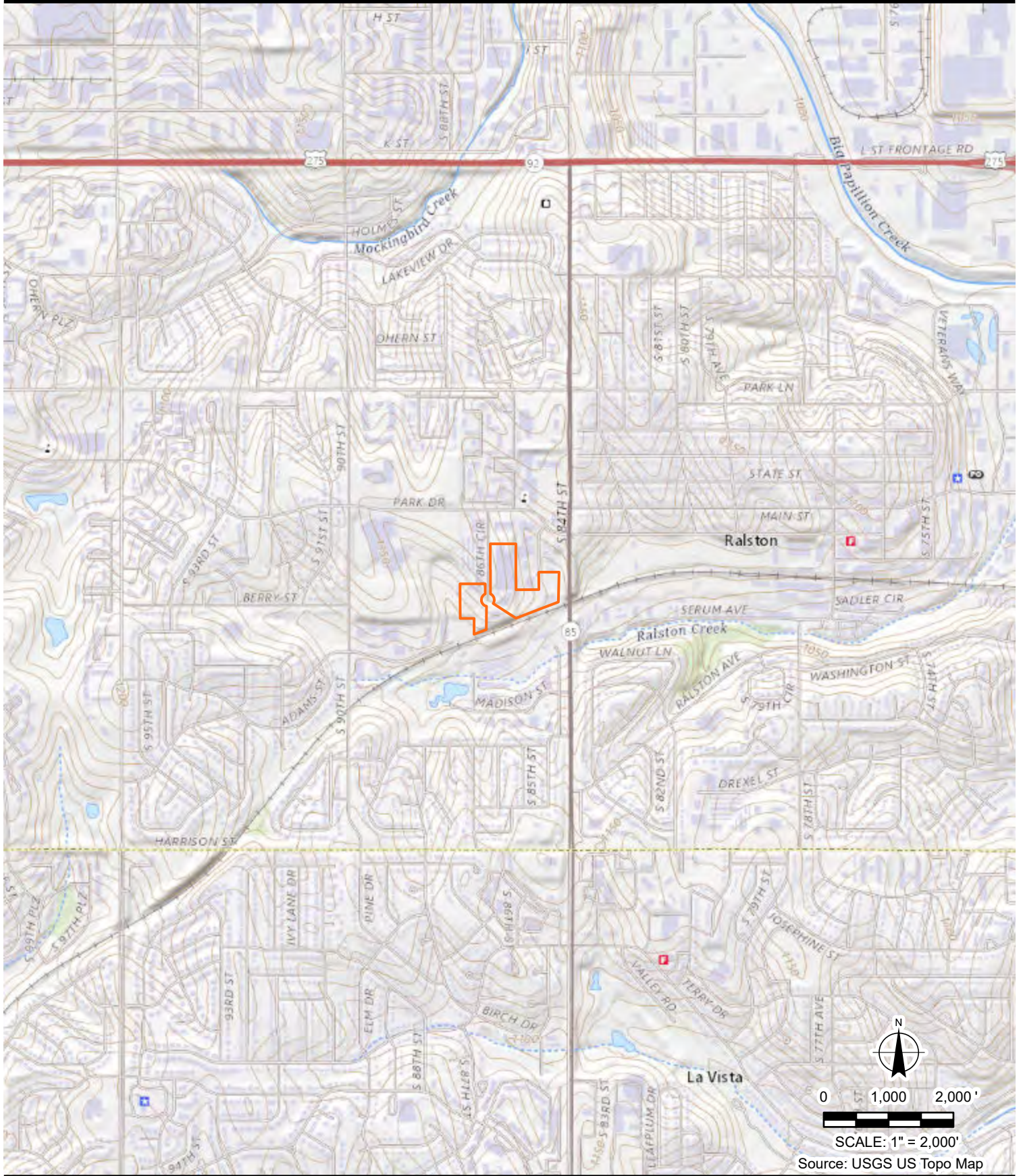
Ms. Jennifer Wolff, Ms. Kelsey Suddard, Braun Intertec Corporation, Minneapolis, Minnesota

5.0 Agencies and Persons Consulted

The following agencies and persons were consulted and/or provided copies of this Environmental Assessment. Copies of correspondence received are discussed in the sections above and attached as Appendices.

Agency Name	Individual Name	Address
US Fish and Wildlife Service		
Advisory Council on Historic Preservation	Jaime Loichinger	Office of Federal Agency Programs, Advisory Council on Historic Preservation 401 F Street NW, Suit 308 Washington, DC 20001-2637
US Army Corps of Engineers		
Natural Resources Conservation Service		
USEPA		
Senator		
Senator		
US Representative		
Tribe chairman		
Tribe THPO		
Other tribes?		
SHPO		
Oklahoma Department of Environmental Quality	Jon Robert	Senior Manager, Office of External Affairs
Office of Tribal relations?		
State rep		
State senator		
Governor		
Mayor		
City council (both wards)		
Newspaper		

Figures



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952.995.2000
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Project No:
B2107779

Drawing No:
B2107779_Fig1_SiteLoc

Drawn By: JPM
Date Drawn: 10/4/2021
Checked By: JW
Last Modified: 10/5/2021

Fred LeRoy Health and Wellness Center



5805 S. 86th Circle

Omaha, NE 68127

Site Location Map

Figure 1



-  Approximate Site Boundary
-  Railroad Tracks

Aerial Imagery Provided By
Bing



Drawing Information

Project No:
B2107779

Drawing No:
Fig2_LandcoverExist

Drawn By: JPM
Drawn Date: 10/3/2021
Checked By: JW
Last Modified: 10/5/2021

Project Information

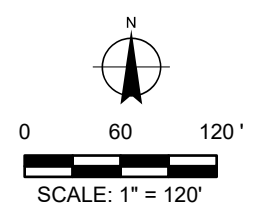
Fred LeRoy Health and
Wellness Center

5805 S. 86th Circle

Omaha, NE 68127

Existing
Conditions

Figure 2



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- Approximate Site Boundary
- Railroad Tracks
- Proposed Landcover
- Landscaping
- Stormwater Management Area
- Concrete
- Building

Base Drawing Provided By
Kimley-Horn



Drawing Information

Project No:
B2107779

Drawing No:
Fig3_LandcoverProposed

Drawn By: JPM
Drawn Date: 10/3/2021
Checked By: JW
Last Modified: 10/5/2021

Project Information

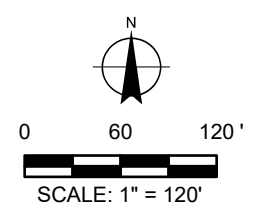
Fred LeRoy Health and
Wellness Center

5805 S. 86th Circle

Omaha, NE 68127

**Proposed
Landcover**

Figure 3



F:\2021\B2107779\GIS\B2107779\B2107779.aprx

Appendix A
Ponca JV EID

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
Project, Program, Grant Description & Location:	Ponca JV Project

Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Note: A response is required for every question. Answer each item completely with adequate supporting information to justify your response.

Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
1. Will the proposed action result in a known violation or continuance of a violation of applicable (Federal, Tribal, State or local) laws or requirements for protection of environment or public health and safety?	<u>No.</u> This project is to relocate the Fred LeRoy Health and Wellness Center (FLHWC). CONTACT: Rebecca Sullivan, Vice Chairwoman, Ponca Tribe 402-857-3391
2. Will the proposed action result in a conflict with existing or proposed federal, Tribal, state, and local land use plans?	<u>No.</u> This project is to relocate the FLHWC, and will not result in conflict with existing or proposed land use plans. CONTACT: Rebecca Sullivan, Vice Chairwoman, Ponca Tribe 402-857-3391
3. Is there a controversy with respect to environmental effects of the proposed action based on reasonable and substantial issues?	<u>No.</u> The relocation of the FLHWC will not result in controversy with respect to environmental effects. CONTACT: Rebecca Sullivan, Vice Chairwoman, Ponca Tribe 402-857-3391
4. Is the proposed action significantly greater in scope than normal for the area or does it have significant unusual characteristics?	<u>No.</u> The project to relocate the FLHWC is not greater in scope than normal for the area and does not have significant or unusual characteristics.
5. Does the proposed action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<u>No.</u> The FLHWC relocation project does not establish a precedent for future actions or represent a decision in principle of any kind with regard to environmental effects.
6. Does the proposed action have significant adverse direct or indirect effects on park land, other public lands, or areas of recognized scenic or recreational value? (For example, consider the how your activity will affect the view?)	<u>No.</u> No park or public lands, either scenic or recreational value, exist within the project vicinity. PRINTED: Nebraska: https://maps.outdoornebraska.gov/Parks/

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
Project, Program, Grant Description & Location:	Ponca JV Project

Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
7. Does the proposed action include construction of a new municipal solid waste landfill at a new solid waste disposal site?	<u>No.</u> The FLHWC relocation project does not include construction of a new municipal solid was landfill.
8. Will the proposed action create a need for additional capacity at solid waste disposal facilities?	<u>No.</u> The FLHWC relocation will generate solid waste, but it is expected that the existing solid waste disposal facilities will be sufficient to handle the waste generated.
9. Does the proposed action include construction of a new wastewater treatment facility that will discharge treated sewage effluent?	<u>No.</u> The proposed project does not include the construction of a new community wastewater treatment facility.
10. Will the proposed action create a need for additional capacity at wastewater treatment facilities?	<u>No.</u> The proposed project will not create a need for additional capacity at the local wastewater treatment facilities.
11. Will the proposed action create a need for additional capacity in the drinking water supply?	<u>No.</u> The proposed project will not create a need for additional capacity in the local drinking water supply.
12. Are there other considerations about the proposed action that could adversely affect the environment and/or public health and safety?	<u>No.</u> The FLHWC relocation project will not adversely affect the environment or public health and safety.
13. Will the proposed action create a need for additional capacity in health care facilities and for health care services?	<u>No.</u> The FLHWC relocation will create minimal additional capacity in health care facilities and for health care service.
14. Will the proposed action create a need for additional energy supply or generation?	<u>No.</u> A nominal increase in electrical consumption may result from construction under the proposed project. However, it is very unlikely to create a significant need for additional energy supply or generation.

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
Project, Program, Grant Description & Location:	Ponca JV Project

Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
15. Will the proposed action create a need for additional capacity in educational facilities?	<u>No.</u> The proposed project will not create a need for additional capacity in educational facilities.
16. Will the proposed action create a need for additional capacity in transportation systems?	<u>No.</u> The proposed project will not create a need for additional capacity in the transportation system.
17. <u>Historic Preservation:</u> a. Does the proposed action involve the purchase, construction, alteration, renovation, or lease of a building or portion of a building that is more than 50 years old?	<u>No.</u> This facility is less than 50 years old. THPO shall be contacted in writing regarding this project. CONTACT: Stacy Laravie, THPO Representative, PO Box 288, Niobrara NE 68760 402-857-3519
b. Will the proposed action adversely affect properties listed, or eligible for listing, on the National Register of Historic Places? (buildings, archaeological sites; objects of significance to a Tribe including graves, funerary objects, and traditional cultural properties)	<u>No.</u> The property is not eligible for listing on the National Register. The THPO will be contacted prior to design and construction of the project. CONTACT: Stacy Laravie, THPO Representative, PO Box 288, Niobrara NE 68760 402-857-3519

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
Project, Program, Grant Description & Location:	Ponca JV Project

Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
18. <u>Endangered Species Act:</u> Is the proposed action likely to adversely affect a plant or animal species listed on the Federal or applicable state list of endangered or threatened species or a specific critical habitat of an endangered or threatened species? (Consult with Fish & Wildlife Service or NOAA Fisheries Service. Discovering an endangered or threatened species in the project area will stop the project, and the Endangered Species Act has significant fines and penalties for violations.)	<p><u>No.</u></p> <p>CONTACT: U.S. Fish and Wildlife Service Nebraska Ecological Services Field Office 9325 B South Alda Rd., STE B Wood River, NE 68883-9565 308-382-6468</p> <p>PRINTED: Endangered & Threatened Wildlife and Plants, 50 CFR 17.11 & 17.12, 4/15/90,As amended.</p> <p>PRINTED:</p> <p>NE https://www.fws.gov/endangered/</p>
19. Will the proposed action require major sedimentation and erosion control measures? (Consider earth disturbing activities including construction or expansion of a parking lot.)	<p><u>No.</u></p> <p>The proposed project is minor and will not disturb more than 1 acre.</p> <p>If required, a Storm Water Pollution Protection Plan will be prepared and submitted to EPA for approval to address mitigation measures to be implemented. Best Management Practices will be enforced during construction.</p>
20. Will the proposed action violate the applicable storm water permit or NPDES permit? (Earth disturbing activities may require permits from the EPA or other agency and a storm water control plan, including parking lot construction activities. Contact tribal, local or state authorities, or EPA.)	<p><u>No.</u></p> <p>The Ponca Tribe of Nebraska anticipates that construction activities will disturb less than 1 acre. If required, a Storm Water Pollution Protection Plan will be prepared and submitted to EPA for approval to address mitigation measures to be implemented.</p>
21. <u>Safe Drinking Water Act:</u> Will the proposed action impact an EPA designated sole source aquifer? (Designation of sole source aquifer puts restrictions and conditions on federal expenditures, projects, and grants.)	<p><u>No.</u></p> <p>There are no sole source aquifers in NE.</p> <p>PRINTED: NE</p> <p>https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b</p>

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
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Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
22. <u>Wetlands and Water Resources</u> (lakes, rivers, ponds, streams, etc.): Will the proposed action affect wetlands and water resources, except in compliance with the applicable permit; e.g., Section 404 (Clean Water Act) and Section 10 (Rivers and Harbors Act) permits? (Activities in or near a wetland may require a permit from the U.S. Corps of Engineers. Includes: construction in or near any wet or dry waterway, stream crossings, intake structures, outfalls, etc.)	<u>No.</u> The project will not affect any wetlands PRINTED: http://www.fws.gov/wetlands/data/mapper.html
23. <u>Floodplains:</u> a. Is the proposed action located in either a 100-year or, for critical actions, a 500-year floodplain? (If Flood Insurance Rate Maps do not exist for the project site, a floodplain survey or consultation may be required. Also may need to consider if the facility will require flood insurance).	<u>No.</u> PRINTED: Flood Insurance Rate Map – Panel number 31055C0333H, 12/2/2005. The proposed site does not fall within the 100-year floodplain.
b. Will the proposed action adversely impact flood flows in a floodplain or support development in a floodplain?	<u>No.</u> The project will not adversely impact flood flows in a floodplain or support development in a floodplain.
24. Existing site: Would the proposed action, involving the purchase, construction or lease of new facilities (including portable facilities and trailers), substantially increase the capacity of an existing health care facility?	<u>Yes.</u> The relocation of the FLHWC involves the purchase and construction at an existing facility to provide health care and may increase capacity. Therefore and Environmental Assessment is needed. Refer to the Environmental Review Manual for IHS dated January 2007. PRINTED: https://www.ihs.gov/EHSCT/documents/main_resource_docs/Enviro_Review_Manual_PDF_1.30.07b.pdf

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
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Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
25. New site: Does the proposed action involve purchase, construction, or lease of new facilities (including portable facilities and trailers) where such action is for buildings equal to or more than 12,000 square feet (1080 square meters) of useable space when more than 5 acres (2 hectares) of surface land area are involved at a new site ?	<u>Yes.</u> The relocation of the FLHWC involves the purchase and construction at an existing facility that is more than 12,000 square feet. Therefore and Environmental Assessment is needed. Refer to the Environmental Review Manual for IHS dated January 2007 PRINTED: https://www.ihs.gov/EHSCT/documents/main_resource_docs/Enviro_Review_Manual_PDF_1.30.07b.pdf
26. New site: Does the proposed action involve purchase, construction, or lease of health care facilities (other than buildings) for projects equal to or more than 5 acres (2 hectares) of surface land area at a new site ?	<u>Yes.</u> The relocation of the FLHWC involves the purchase and construction at an existing facility that is more than 12,000 square feet and is located on a site that is more than 5 acres. Therefore and Environmental Assessment is needed. Refer to the Environmental Review Manual for IHS dated January 2007 PRINTED: https://www.ihs.gov/EHSCT/documents/main_resource_docs/Enviro_Review_Manual_PDF_1.30.07b.pdf
27. Does the proposed action involve the sale or transfer of real property, on which any hazardous substance was stored for one year or more, known to have been released, or disposed of? (Provide relevant documentation for any hazardous substance releases. See 40 CFR 373.2(b), 302.4, and 261.30 for reportable quantities.)	<u>No.</u> The proposed project does not involve the sale or transfer of real property on which any hazardous substances were stored for more than one year, or are known to have been released or disposed of.
28. Does the proposed action involve the sale or transfer of real property, on which underground or above ground storage tanks are located?	<u>No.</u> The proposed project does not involve the sale or transfer of real property on which underground or above ground storage tanks are located.

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
Project, Program, Grant Description & Location:	Ponca JV Project

Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
29. Will the proposed action violate Tribal, local, state, or Federal law on the use and storage of hazardous substances or the transportation, storage, and disposal of hazardous wastes or medical wastes? (Activities that may generate reportable quantities include air conditioning repair and service, pesticide application, motor pools, automobile repair, welding, landscaping, agricultural activities, print shops, hospitals, clinics, medical centers, etc. Repair, renovation, or demolition activities can generate waste that has asbestos-containing materials, asbestos, lead-based paint, PCBs, CFCs, etc.)	<u>No.</u> The proposed project may generate a limited amount of hazardous waste, but the contractor will be responsible for the proper use, storage, and disposal of any hazardous substances.
30. Will the proposed action adversely affect community air pollution for a long period of time? (Consider if your activity must conform to an applicable air quality implementation plan.)	<u>No.</u> The project is the relocation of the FLHWC. Any affects from the project will be minimal and temporary in nature.
31. If the proposed action is implemented, will it have a disproportionately high and adverse human health or environmental impact on the Tribe, low-income populations, or minority populations?	<u>No.</u> The FLHWC relocation will not have a high or adverse human health or environmental impact on Tribes, low-income populations, or minority populations. This project will provide for health care of such populations.
32. Will the proposed action adversely affect community noise levels?	<u>No.</u> The project is the relocation of the FLHWC. Any affects from the project will be minimal and temporary in nature.
33. <u>Wilderness Act:</u> Will the proposed action adversely impact a Wilderness Area? (Wilderness Areas are specifically designated areas of land.)	<u>No.</u> No designated Wilderness Areas are located within the vicinity of the project. PRINTED: https://wilderness.net/visit-wilderness/find-a-wilderness.php

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

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Consideration	<u>How will the proposed action/activity affect the Consideration?</u> Provide supporting information for your responses and explain any mitigation to be implemented.
34. <u>Farmland Protection Policy Act:</u> Will the proposed action convert significant agricultural lands to non-agricultural uses and exceed 160-point score on the farmland impact rating?	<u>No.</u> All activities with this project involve disturbance of non-agricultural land.
35. <u>Coastal Zone Management Act:</u> Will the proposed action directly affect a Coastal Zone in a manner inconsistent with the State Coastal Zone Management Plan? (All federal programs or projects in the coastal zone must comply with the consistency provisions of the Act. Each coastal state should have a state office to manage its coastal zone development and use. On Federal or Tribal trust land, the IHS will make the determination.)	<u>No.</u> There are No Coastal Zones, as defined by the Coastal Zones management Act of 1972, Sec. 304 and its Amendments, within the project area. PRINTED: https://coast.noaa.gov/czm/
36. <u>Wild and Scenic Rivers Act:</u> Will the proposed action affect a wild, scenic, or recreational river area or create conditions inconsistent with the character of the river? (A consideration for activities that are in or near any wild and scenic waterway including construction of stream/river crossings, intake structures, outfalls, etc.)	<u>No.</u> No Wild and Scenic Rivers, as defined by the Act (P.L. 90-542) and its Amendments, are located within the vicinity of the project. PRINTED: https://nps.maps.arcgis.com/apps/MapJournal/index.html?appid=ba6debd907c7431ea765071e9502d5ac

ENVIRONMENTAL INFORMATION AND DOCUMENTATION

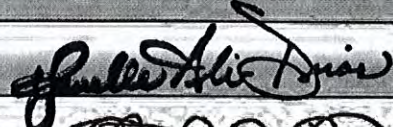

Tribe: Ponca Tribe of Nebraska	Reservation: Ponca Tribe of Nebraska
Project, Program, Grant Description & Location: Ponca JV Project	

Action: The Ponca Tribe of Nebraska has purchased property located at the terminus of S. 86th Circle in south Omaha and proposes to repurpose the property for Tribal Services, Health and Wellness Services, Community Center, Transportation Center, Sweat Lodge, and incidental uses.

Based on the available record, the Ponca Tribe of Nebraska has made the following determination on the proposed activity/action/undertaking. The record was examined to identify potential extraordinary or exceptional circumstances which would require further environmental review.

Based on the available record, the Ponca Tribe of Nebraska has concluded that the proposed activity/action/undertaking is classified as "Categorically Excluded", which normally does not significantly impact the human environment. The record was examined to identify potential extraordinary or exceptional circumstances which would require further environmental review. Based on the review an Environmental Assessment is needed.

I certify that to the best of my knowledge and ability the information presented herein is true and correct:

	TRIBAL PROJECT MANAGER	DATE
	Dr. Janelle Ati-Dinar, Health CEO, Ponca Tribe	1-21-2022
	TRIBAL HEALTH CEO	DATE
	Ms. Rebecca Sullivan, Vice Chairwoman, Ponca Tribe	1-21-2022
	CHAIRMAN	DATE

Supporting Information for Your Responses

The supporting information for your responses must be traceable and establish the factual data to support the response to each question. Types of information that could be used are outlined below.

1. **PRINTED MATERIALS:** These are useful sources of detailed information materials such as comprehensive land use plans, zoning maps, city master plans, environmental baseline surveys, environmental assessments, environmental impact statements and studies. Information must be current and must represent accepted methodologies; i.e., not so old that changing conditions make them irrelevant. Citations for the material should include enough information so that an outside reviewer can locate the specific reference; e.g., author, document title, publication date, and page number.

Examples include the Record of Decision, Finding of Suitability to Transfer, Finding of Suitability to Lease, GSA¹ Property Suitability Determination Form, Federal Property Information Checklist, Environmental Baseline Surveys, Preliminary Assessment Reports, Environmental Assessments, draft or final Environmental Impact Statements, and Tribal or City/County master plan or zoning map. Possible sources of these documents include as appropriate, the Tribe, BIA, IHS, HUD², the property owner, military base environmental office, local governmental organizations, local public library, and Tribal/City/County planning office.

2. **PERSONAL CONTACT:** Personal contacts are useful when the individual contacted is an accepted authority on the subject(s), and the interview is documented. Supporting documentation should include the name, organization, title of the person contacted, phone number, and the date of the conversation. Examples include EPA officials, EPA hotlines, officials from tribal, state or local planning offices and environmental offices, or an environmental officer of an agency.
3. **SITE VISIT:** A site visit does not usually involve any testing or measurements. A site visit is an important method for initial screening of the issues, but for some of the categories it may be inadequate for final evaluation. Supporting documentation should include date of the site visit, by whom, and the supporting observation; photographs may also assist in evaluating the activity/action/undertaking.

Review after project start or grant award: Since conditions can change after project initiation or grant award, the environmental document should be reviewed at selected milestones to insure the original determination is still applicable. If not, then a new or supplemental environmental document should be done and a determination made based on that new document or on the original document and the additional information if a supplemental environmental document.

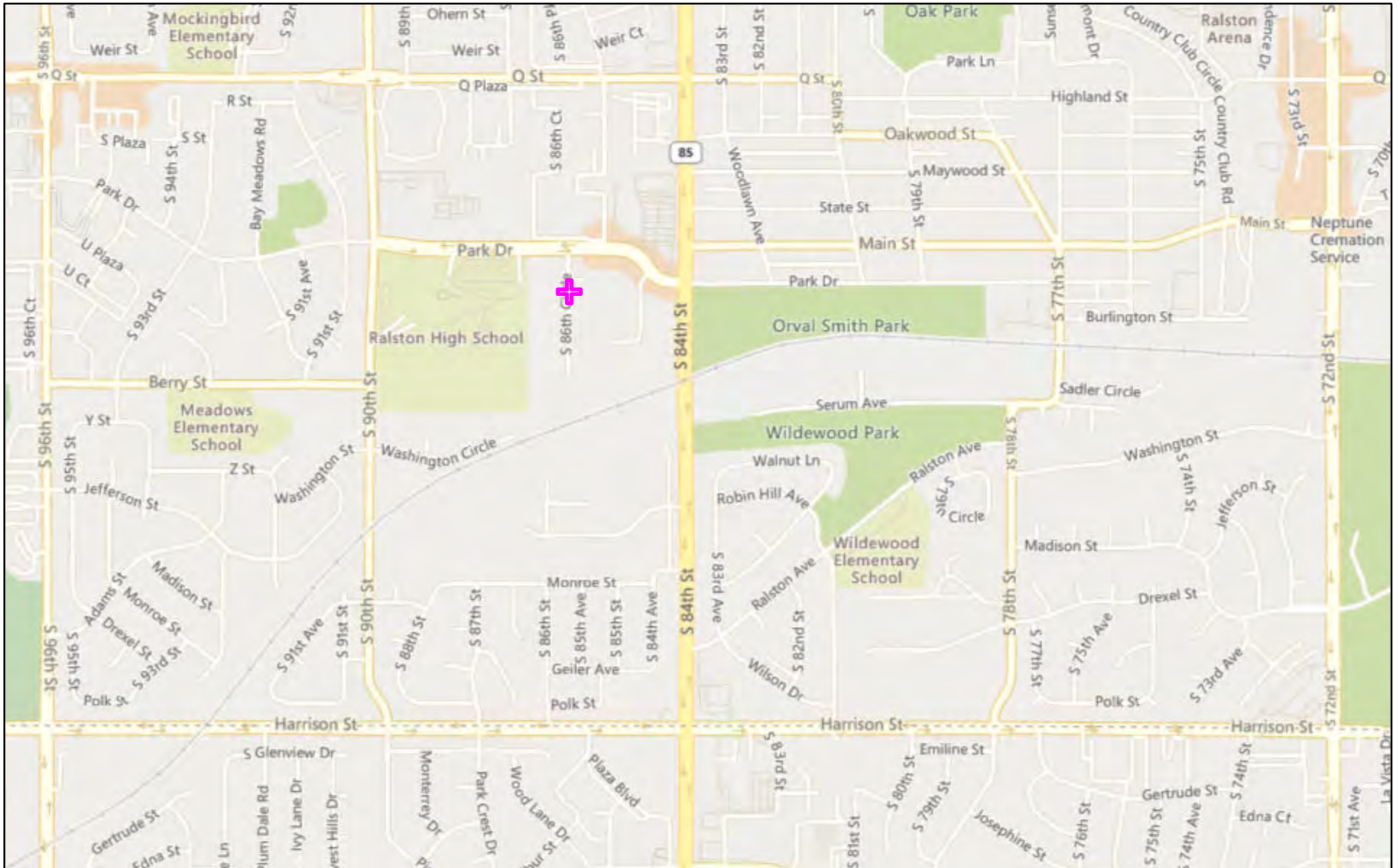
Pollution Prevention. The Agency encourages the project or program managers to include pollution prevention considerations in the location, design, construction, renovation, and operation of the project or facility. The questionnaire items on sedimentation and erosion control measures and storm water control plan are also pollution prevention related.

¹General Services Administration

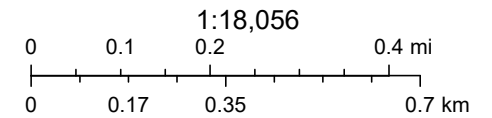
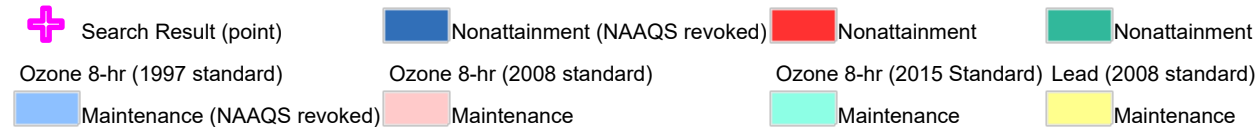
²Department of Housing and Urban Development

Appendix B
Nonattainment Areas

Nonattainment Areas

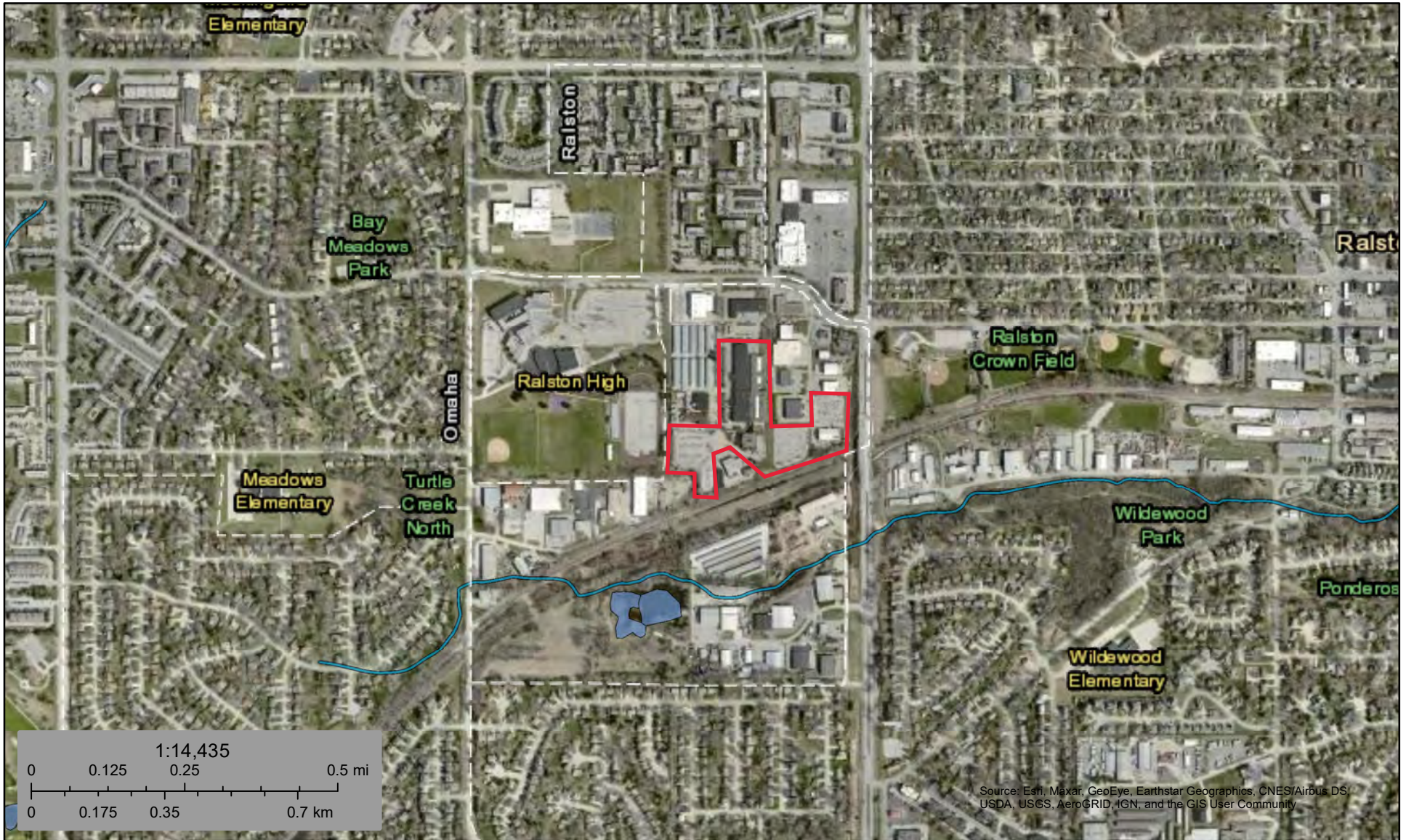


September 21, 2021



Appendix C

NWI Map



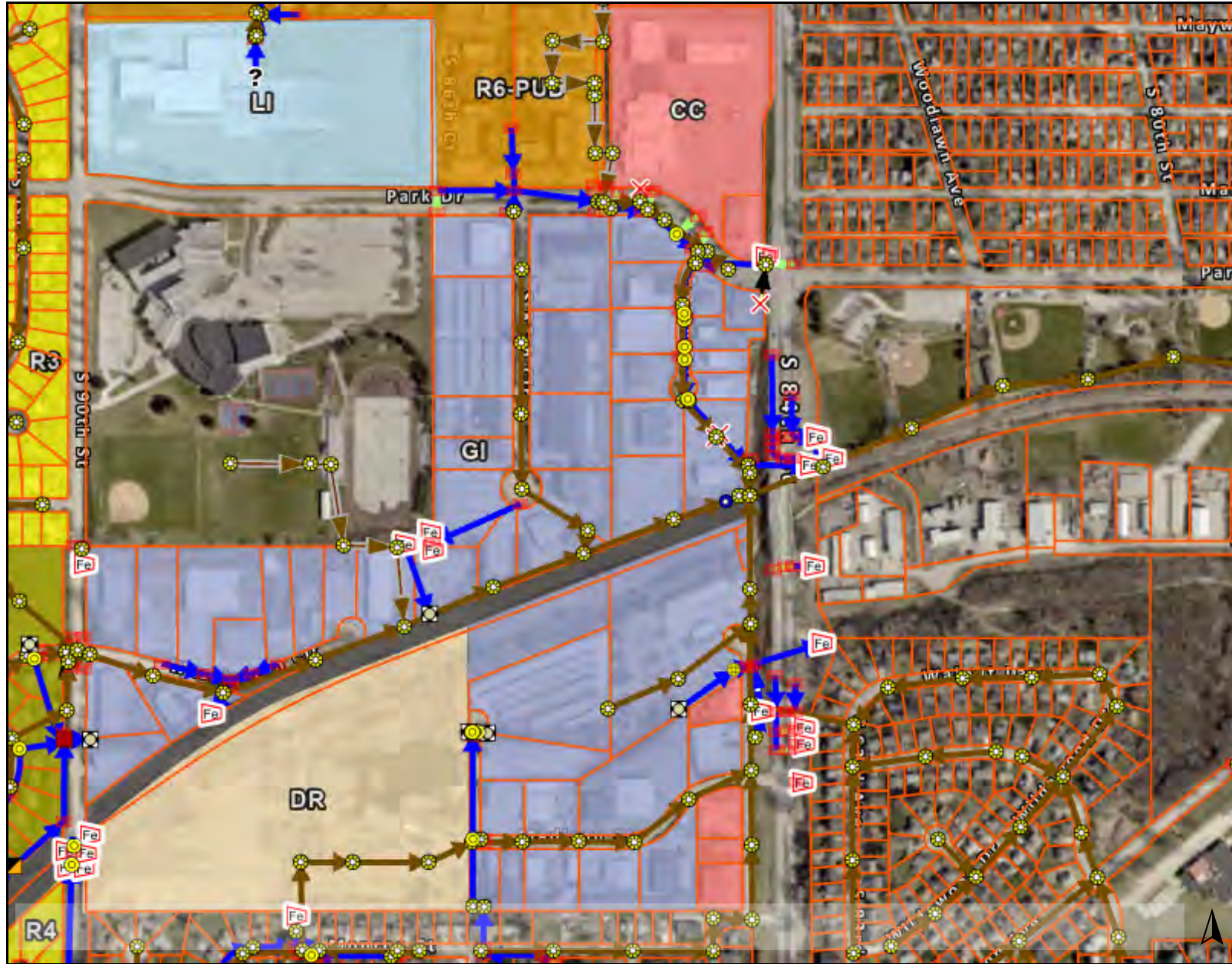
September 20, 2021

Wetlands

- | | | | | | |
|--|--------------------------------|--|-----------------------------------|--|-------|
| | Estuarine and Marine Deepwater | | Freshwater Emergent Wetland | | Lake |
| | Estuarine and Marine Wetland | | Freshwater Forested/Shrub Wetland | | Other |
| | Freshwater Pond | | Riverine | | |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Appendix D
City of Omaha Utilities



Legend

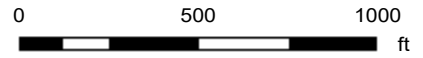
Omaha_Sewer_Network

Sewer Nodes

- ✗ Dead End or Stub Out
- Fe Flared End (Inlet or Outlet)
- Inlet Catch/Basin
- Inlet Catch/Basin
- Inlet Catch/Basin
- Inlet Catch/Basin
- Inlet Catch/Basin
- Inlet Catch/Basin
- Inlet Catch/Basin
- Junction Box
- ⊙ Manhole
- ⊙ Manhole Grated
- ⊙ Metering Manhole
- ⊙ Outfall
- ⊙ Tap
- Vertical Bend
- ? Unknown

Sewer Lines

- Sanitary, Collector
- Storm, Sewer



Please contact Douglas County GIS for map questions (gis@douglascounty-ne.gov)

Printed from dogsis.org:
09/21/2021 12:19:04

This map is a user generated static output from an Internet mapping site and is for reference only. Data on this map may or may not be accurate, current, or otherwise reliable. It is for informational purposes only, and may not be suitable for legal, engineering, or surveying purposes. Do NOT use property lines from this website for plan submissions.

Appendix E

FEMA Map

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updates or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRMA, Users should be aware that BFEs shown on the FIRMA represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRMA for purposes of construction and/or floodplain managers.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic calculations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures in this jurisdiction.

The projection used in the preparation of this map was Universal Transverse Mercator (UTM), zone 14. The horizontal datum used is NAD 83, GRS80 spheroid. Differences in datum, spheroid projection or State Plane zones used in the production of FIRMA for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRMA.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

Spatial Reference System Division
National Geodetic Survey, NODAS
Silver Spring Metro Center
1715 East-Viet Highway
Silver Spring, Maryland 20910
(301) 713-3161

To obtain current elevation, description, and/or location information about the benefit marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (202) 713-3342 or visit their website at www.ngs.noaa.gov.

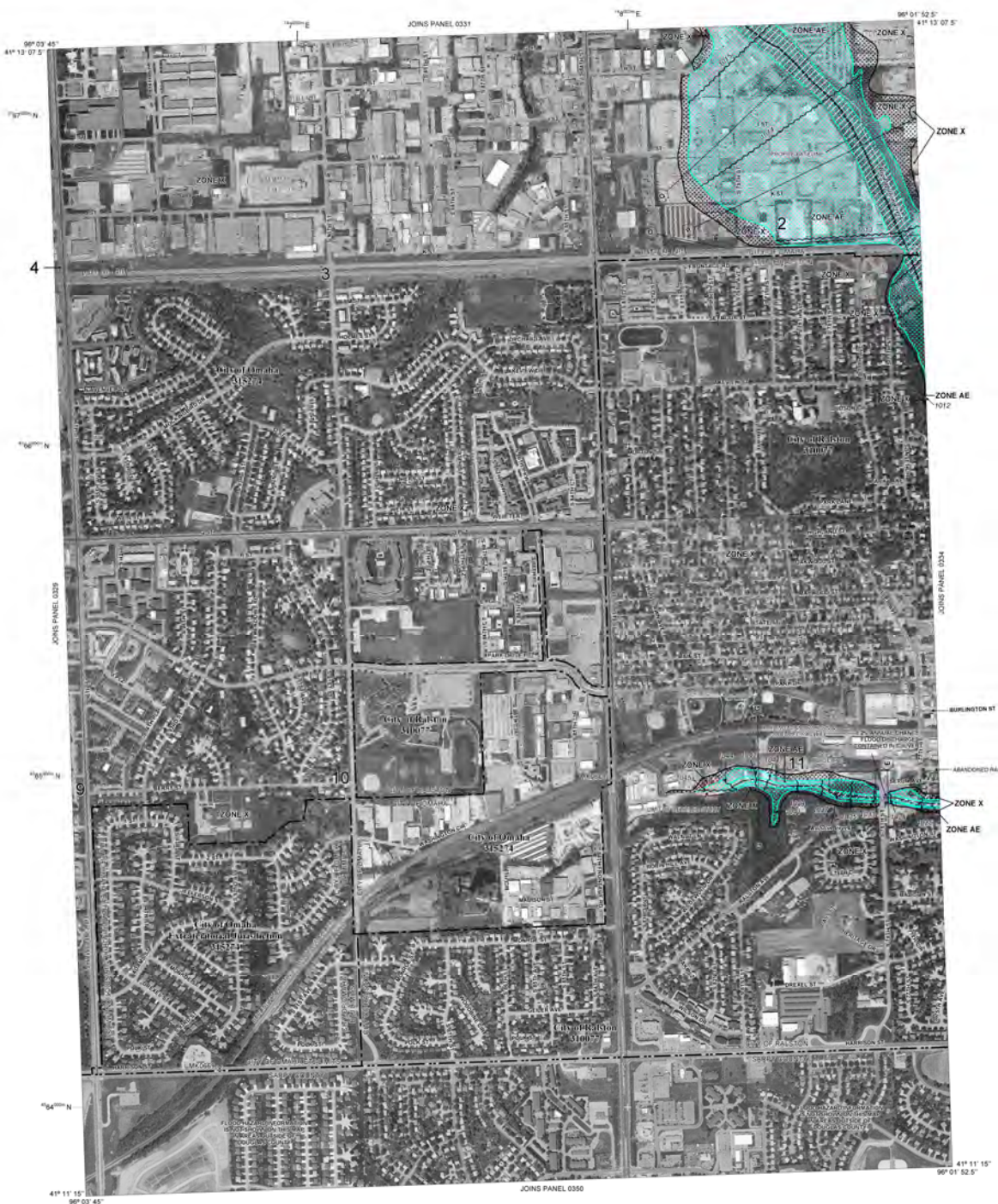
Base map information shown on this FIRMA was derived from aerial photography provided by the Omaha Council of Governments Area Planning Agency (MAPA), dated 2007, with a point resolution of approximately 10 to 15 meters.

Corporate limits shown on this map are based on the best data available at the time of publication. Boundary changes due to annexations or disannexations may have occurred after the map was published; map users should consult appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index 333 an overview map of the county showing the extent of this county community map repository addresses and a listing of Communities with Community National Flood Insurance Program data for each community as well as a listing of the panels on which each community is located.

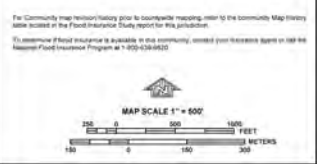
Contact the FEMA Map Service Center at 1-800-368-6674 for information on available products associated with the FIRMA. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-368-6620 and their website at www.fema.gov.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-362-6277) or visit the FEMA website at www.fema.gov.



LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO DRAINAGE BY THE 1% ANNUAL CHANCE FLOOD**
- The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AV, VE, and V. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.
- ZONE A:** No Base Flood Elevations determined.
 - ZONE AE:** Base Flood Elevations determined.
 - ZONE AH:** Flood depths of 1 to 1.5 feet (usually based on flooding, terrain, average depth, etc.).
 - ZONE AO:** Flood depths of 1 to 1.5 feet (usually based on flooding, terrain, average depth, etc.).
 - ZONE AR:** Special Flood Hazard Areas comprise protection from the 1% annual chance flood by a flood control system that was subsequently abandoned. Zone AR includes the former flood control system in areas subject to provide protection from the 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
 - ZONE AV:** Coastal flood zone with velocity based (wave action); no Base Flood Elevations determined.
 - ZONE VE:** Coastal flood zone with velocity based (wave action); Base Flood Elevations determined.
- FLOODWAY AREAS IN ZONE AE**
- The floodway is the channel of a stream plus any adjacent floodplain area that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood height.
- OTHER FLOOD AREAS**
 - ZONE X:** Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depth of less than 1 foot or with average area less than 1 acre; and areas protected by levees from 1% annual chance flood.
 - OTHER AREAS**
 - ZONE X:** Areas determined to be outside the 0.2% annual chance floodplain. Areas in which flood hazards are unrepresented, but possible.
 - COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
 - OTHERWISE PROTECTED AREAS (OPAs)**
 - CBRS Areas and OPAs are currently subject to adjustment by Special Flood Hazard Areas.
 - 1% annual chance floodplain boundary**
 - 0.2% annual chance floodplain boundary**
 - Floodway boundary**
 - Zone X boundary**
 - CBRS and OPA boundary**
 - Boundary showing Special Flood Hazard Areas of adjacent Base Flood Elevations, Flood depths or flood elevation**
 - Base Flood Elevation and water surface elevation (1:500')**
 - Base Flood Elevation value where water surface elevation is flat**
- Referenced to the North American Vertical Datum of 1988
- A** Cross section line
 - D---** Truncated line
 - 44° 02' 58" N 90° 01' 12" W** Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), NAD 83 datum hemisphere
 - 1000 meters Universal Transverse Mercator grid values, zone 14**
 - 10X5510** North West corner coordinates of 1000 meter square of the 100m grid
 - 10M 5** Map sheet
 - M 1:5** MAP REVISIONS
 - Refer to listing of Map Revisions on Map Index
 - EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**
 - DECEMBER 2, 2008**
 - EFFECTIVE DATES (OF REVISIONS) TO THIS PANEL**



NFIP

PANEL 0333H

FIRM

FLOOD INSURANCE RATE MAP

DOUGLAS COUNTY, NEBRASKA AND INCORPORATED AREAS

PANEL 333 OF 360

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:	COMMUNITY:	NUMBER:	PANEL:	SUFFIX:
	OMAHA, CITY OF	310274	0333	H
	RAILSTON, CITY OF	310077	0333	H

Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER 31055C0333H

EFFECTIVE DATE DECEMBER 2, 2005

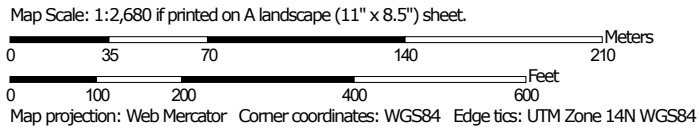
Federal Emergency Management Agency

Appendix F
USDA Soil Survey

Soil Map—Douglas County, Nebraska



Soil Map may not be valid at this scale.



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Douglas County, Nebraska
 Survey Area Data: Version 15, Jun 3, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 1, 2018—Sep 30, 2018

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
9711	Urban land-Udarents complex, 0 to 16 percent slopes	11.1	100.0%
Totals for Area of Interest		11.1	100.0%

Douglas County, Nebraska

9711—Urban land-Udarents complex, 0 to 16 percent slopes

Map Unit Setting

National map unit symbol: 1vfdz

Elevation: 800 to 1,300 feet

Mean annual precipitation: 24 to 36 inches

Mean annual air temperature: 39 to 61 degrees F

Frost-free period: 155 to 175 days

Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 71 percent

Udarents and similar soils: 29 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Urban Land

Setting

Landform: Hillslopes

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Head slope, interfluve, side slope, nose slope

Down-slope shape: Convex, concave

Across-slope shape: Linear

Description of Udarents

Setting

Landform: Hillslopes

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Head slope, interfluve, side slope, nose slope

Down-slope shape: Convex, concave

Across-slope shape: Linear

Parent material: Disturbed fine-silty loess

Typical profile

H1 - 0 to 80 inches: silt loam

Properties and qualities

Slope: 0 to 27 percent

Depth to restrictive feature: More than 80 inches

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 8 percent

Interpretive groups

Land capability classification (irrigated): None specified

Ecological site: R107BY002MO - Deep Loess Upland Prairie
Amorpha canescens/Schizachyrium scoparium-Sporobolus
heterolepis Leadplant/Little Bluestem-Prairie Dropseed
Hydric soil rating: Unranked

Data Source Information

Soil Survey Area: Douglas County, Nebraska
Survey Area Data: Version 15, Jun 3, 2020

Appendix G
Wildlife Resources



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Nebraska Ecological Services Field Office
9325 B South Alda Rd., Ste B
Wood River, NE 68883-9565
Phone: (308) 382-6468 Fax: (308) 384-8835
<http://www.fws.gov/nebraskaes>

In Reply Refer To:

August 30, 2021

Consultation Code: 06E22000-2021-SLI-0656

Event Code: 06E22000-2021-E-01163

Project Name: Fred LeRoy Health and Wellness Center Relocation

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Nebraska Ecological Services Field Office

9325 B South Alda Rd., Ste B

Wood River, NE 68883-9565

(308) 382-6468

Project Summary

Consultation Code: 06E22000-2021-SLI-0656

Event Code: 06E22000-2021-E-01163

Project Name: Fred LeRoy Health and Wellness Center Relocation

Project Type: DEVELOPMENT

Project Description: The project will involve significant renovations to the existing health center and greatly expand it's capacity to provide health/wellness services to tribal members. Construction is anticipated to begin in late 2021 or 2022.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.199024449999996,-96.04586558267866,14z>



Counties: Douglas County, Nebraska

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7162	Endangered

Flowering Plants

NAME	STATUS
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1669	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31

NAME	BREEDING SEASON
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

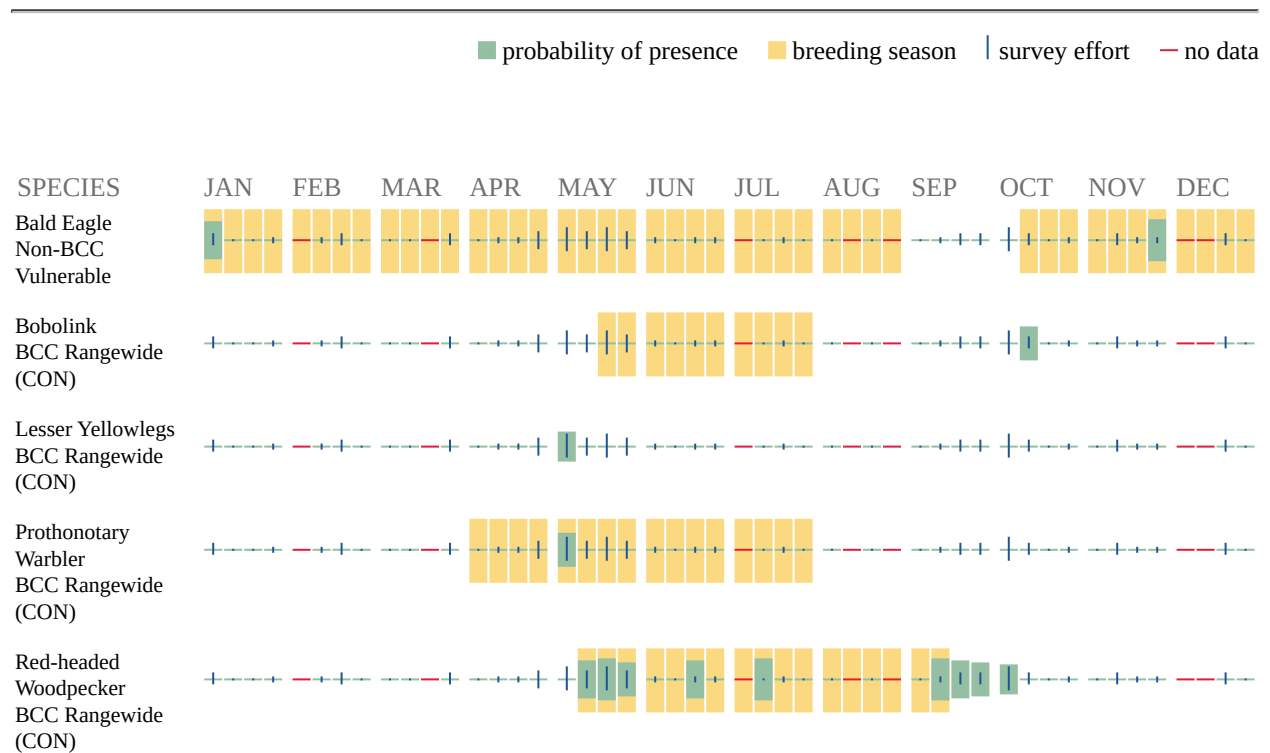
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>

- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab](#)

[of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be

aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.



Environmental Review Report

Project Information

Report Generation Date: 9/9/2021 10:49:04 AM
Project Title: Fred LeRoy Health & Wellness Center
User Project Number(s):
System Project ID: NE-CERT-004887
Project Type: Development, New construction within existing municipality - previously disturbed habitat
Project Activities: None Selected
Project Size: 12.14 acres
County(s): Douglas
Watershed(s): Missouri Tributaries
Watershed(s) HUC 8: Big Papillion-Mosquito
Watershed(s) HUC 12: Big Elk Creek-Big Papillion Creek
Biologically Unique Landscape(s): None
Township/Range and/or Section(s): T14R12ES10
Latitude/Longitude: 41.198931 / -96.045623

Contact Information

Organization: Braun Intertec Corporation
Contact Name: Ben Ruhme
Contact Phone: 9529952491
Contact Email: bruhme@braunintertec.com
Contact Address: 11001 Hampshire Avenue S Minneapolis MN 55438
Prepared By: Braun Intertec Corporation
Submitted On Behalf Of: Ponca Tribe of Nebraska & Indian Health Services

Project Description

The Ponca Tribe of Nebraska has purchased the former InfoGroup Headquarters property located at the terminus of S. 86th Circle in south Omaha and proposes to redevelop the campus into a facility for Tribal Services, Health Services, Community Center, Transportation Center, Sweat Lodge and incidental uses. The ±11.23-acre Site is made up of 7 separate parcels, containing a ±156,000 SF office building, a ±16,000 SF office building, and a ±9,000 out building with surrounding parking lots. The Ponca Tribe has outgrown their current property and is seeking more space to offer public health and other services to tribal members, with plans to expand services to other Native Americans and non-Natives alike in the Omaha area. Due to the Tribe's relationships with and within the City of Omaha and the concentration of its members, the Ponca Tribe would like to remain located in the City of Omaha.

Introduction

The Nebraska Game and Parks Commission (Commission) and the U.S. Fish and Wildlife Service (Service) have special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian areas, woodlands, and grasslands. Special attention is given to proposed projects which modify wetlands, alter streams, result in loss of riparian habitat, convert/remove grasslands, or contaminate habitats. When this occurs, the Commission and Service recommend ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

CONSULTATION PURSUANT TO THE NEBRASKA NONGAME AND ENDANGERED SPECIES CONSERVATION ACT (NESCA)

The Commission has responsibility for protecting state-listed endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). Pursuant to § 37-807 (3) of NESCA, all state agencies shall, in consultation with the Commission, ensure projects they authorize (i.e., issue a permit for), fund or carry out do not jeopardize the continued existence of state-listed endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Commission to be critical. If a proposed project may affect state-listed species or designated critical habitat, further consultation with the Commission is required.

Informal consultation pursuant to NESCA can be completed by using the Conservation and Environmental Review Tool (CERT). The CERT analyzes the project type and location, and based on the analysis, provides information about potential impacts to listed species, habitat questions and/or conservation conditions.

- If project proponents agree to implement conservation conditions, as outlined in the report and applicable to the project type, then this document serves as documentation of consultation and the following actions can be taken to move forward with the project:
 - Sign the report in the designated areas.
 - Upload the signed PDF as part of their "final" project submittal.
 - By agreeing to and implementing the conservation conditions as outlined (if applicable), then further consultation with the Commission is not required.
- If the report indicates the project may have impacts on state-listed species, then the following actions must be taken:
 - Project proponent is required to contact and consult with the Commission. Contact information can be found within this document.

TECHNICAL ASSISTANCE AND CONSULTATION PURSUANT TO THE ENDANGERED SPECIES ACT (ESA)

The Service has responsibility for conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973 (ESA); 2) Fish and Wildlife Coordination Act; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act. The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations.

Pursuant to section 7(a)(2) of ESA, every federal agency, shall in consultation with the Service, ensure that an action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

If a proposed project may affect federally listed species or designated critical habitat, Section 7 consultation is required with the Service. It is the responsibility of the lead federal action agency to fully evaluate all potential effects (direct and indirect) that may occur to federally listed species and critical habitat in the action area. The lead federal agency provides their effect determination to the Service for concurrence. If federally listed species and/or designated/proposed critical habitat would be adversely affected by implementation of the project, the lead federal agency will need to formally request further section 7 consultation with the Service prior to making any irretrievable or

irreversible commitment of federal funds (section 7(d) of ESA), or issuing any federal permits or licenses.

The information generated in this report DOES NOT satisfy consultation obligations between the lead federal agency and the Service pursuant to ESA. For the purposes of ESA, the information in this report should be considered as TECHNICAL ASSISTANCE, and does not serve as the Service's concurrence letter, even if the user signs and agrees to implement conservation conditions in order to satisfy the consultation requirements of NESCA.

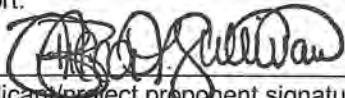
Overall Results

The following result is based on a detailed analysis of your project.

- It is unlikely this project will negatively impact listed species or their designated critical habitat. Please review all the information provided in this document. Then, sign and date the "Certification" section and upload the signed document as "Final" in CERT. No additional correspondence with the Nebraska Game and Parks Commission is required unless otherwise indicated in the "Additional Information" section below. If the project involves a federal permit, action or funding, the lead federal agency should review the information provided in this report and make an "effect determination" pursuant to their obligations under ESA. Depending on the determination made by the lead federal agency, further consultation with the U.S. Fish and Wildlife Service may or may not be required.

Certification

I certify that ALL of the project information in this report (including project location, project size/configuration, project type, project activities, answers to questions) is true, accurate, and complete. If the project type, activities, location, size, or configuration of the project change, or if any of the answers to any questions asked in this report change, then this information is no longer valid and we recommend running the revised project through CERT to get an updated report.



Applicant/project proponent signature

1-21-2022

Date

Additional Considerations

Bald and Golden Eagle Protection Act

The federal Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under the Eagle Act, "take" of eagles, their parts, nests or eggs is prohibited. Disturbance resulting in injury to an eagle or a decrease in productivity or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior is a form of "take."

Bald eagles use mature, forested riparian areas near rivers, streams, lakes, and wetlands and occur along all the major river systems in Nebraska. The bald eagle southward migration begins as early as October and the wintering period extends from December-March. The golden eagle is found in arid open country with grassland for foraging in western Nebraska and usually near buttes or canyons which serve as nesting sites. Golden eagles are often a permanent resident in the Pine Ridge area of Nebraska. Additionally, many bald and golden eagles nest in Nebraska from mid-February through mid-July. Disturbances within 0.5-miles of an active nest or within line-of-sight of the nest could cause adult eagles to discontinue nest building or to abandon eggs. Both bald and golden eagles frequent river systems in Nebraska during the winter where open water and forested corridors provide feeding, perching, and roosting habitats, respectively. The frequency and duration of eagle use of these habitats in the winter depends upon ice and weather conditions. Human disturbances and loss of wintering habitat can cause undue stress leading to cessation of feeding and failure to meet winter thermoregulatory requirements. These affects can reduce the carrying capacity of preferred wintering habitat and reproductive success for the species.

To comply with the Eagle Act, it is recommended that the project proponent determine if the proposed project would impact bald or golden eagles or their habitats. This can be done by conducting a habitat assessment, surveying nesting habitat for active and inactive nests, and surveying potential winter roosting habitat to determine if it is being used by eagles. The area to be surveyed is dependent on the type of project; however for most projects we recommend surveying the project area and a ½ mile buffer around the project area. If it is determined that either species could be affected by the proposed project, the Commission recommends that the project proponent notify the Nebraska Game and Parks Commission as well as the Nebraska Field Office, U.S. Fish and Wildlife Service for recommendations to avoid “take” of bald and golden eagles.

Migratory Bird Treaty Act and Nebraska Revised Statute §37-540

We recommend the project proponent comply with the Migratory Bird Treaty Act (16 U.S.C. 703-712: Ch. 128 as amended) (MBTA). The project proponent should also comply with Nebraska Revised Statute §37-540, which prohibits take and destruction of nests or eggs of protected birds (as defined in Nebraska Revised Statute §37-237.01). Construction activities in grassland, wetland, stream, woodland, and river bank habitats that would result in impacts on birds, their nests or eggs protected under these laws should be avoided. Although the provisions of these laws are applicable year-round, most migratory bird nesting activity in Nebraska occurs during the period of April 1 to July 15. However, some migratory birds are known to nest outside of the aforementioned primary nesting season period. For example, raptors can be expected to nest in woodland habitats during February 1 through July 15, whereas sedge wrens, which occur in some wetland habitats, normally nest from July 15 to September 10. If development in this area is planned to occur during the primary nesting season or at any other time which may result in impacts to birds, their nests or eggs protected under these laws, we request that the project proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If a field survey identifies the existence of one or more active bird nests that cannot be avoided by the planned construction activities, the Nebraska Game and Parks Commission and the Nebraska Field Office, U.S. Fish and Wildlife Service should be contacted immediately. For more information on avoiding impacts to migratory birds, their nests and eggs, or to report active bird nests that cannot be avoided by planned construction activities, please contact the U.S. Fish and Wildlife Service and/or the Nebraska Game and Parks Commission (contact information within report). Adherence to these guidelines will help avoid unnecessary impacts on migratory birds.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA) requires consultation with the U.S. Fish and Wildlife Service (Service) and the State fish and wildlife agency (i.e., Nebraska Game and Parks Commission) for the purpose of preventing loss of and damage to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. This statute requires that federal agencies take into consideration the effect that the water related project would have on fish and wildlife resources, to take action to prevent loss or damage to these resources, and to provide for the development and improvement of these resources. The comments in this letter are provided as technical assistance only and are not the document required of the Secretary of the Interior pursuant to Section 2(b) of FWCA on any required federal environmental review or permit. This technical assistance is valid only for the described conditions and will have to be revised if significant environmental changes or changes in the proposed project take place. In order to determine whether the effects to fish and wildlife resources from the proposed project are being considered under FWCA, the lead federal agency must notify the Service in writing of how the comments and recommendations in this technical assistance letter are being considered into the proposed project.

Section 404 of the Clean Water Act

In general, the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service have concerns for impacts to wetlands, streams and riparian habitats. We recommend that impacts to wetlands, streams, and associated riparian corridors be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. If any fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office in Omaha should be contacted to determine if a 404 permit is needed.

Agency Contact Information

Nebraska Game and Parks Commission

Environmental Review Team

2200 North 33rd Street

Lincoln, NE 68503

phone: (402) 471-5554

email: ngpc.envreview@nebraska.gov

U.S. Fish and Wildlife Service

Nebraska Ecological Services

9325 South Alda Road

Wood River, NE 68883

phone: (308) 382-6468

email: nebraskaes@fws.gov

Fred LeRoy Health & Wellness Center Aerial Image Basemap With Locator Map



- Project Boundary
- Project Review Boundary
- 3-mile Information Buffer Boundary

Project Size (acres): 12.14

Lat/Long (DD): 41.1989 / -96.0456

County(s): Douglas

BUL(s):

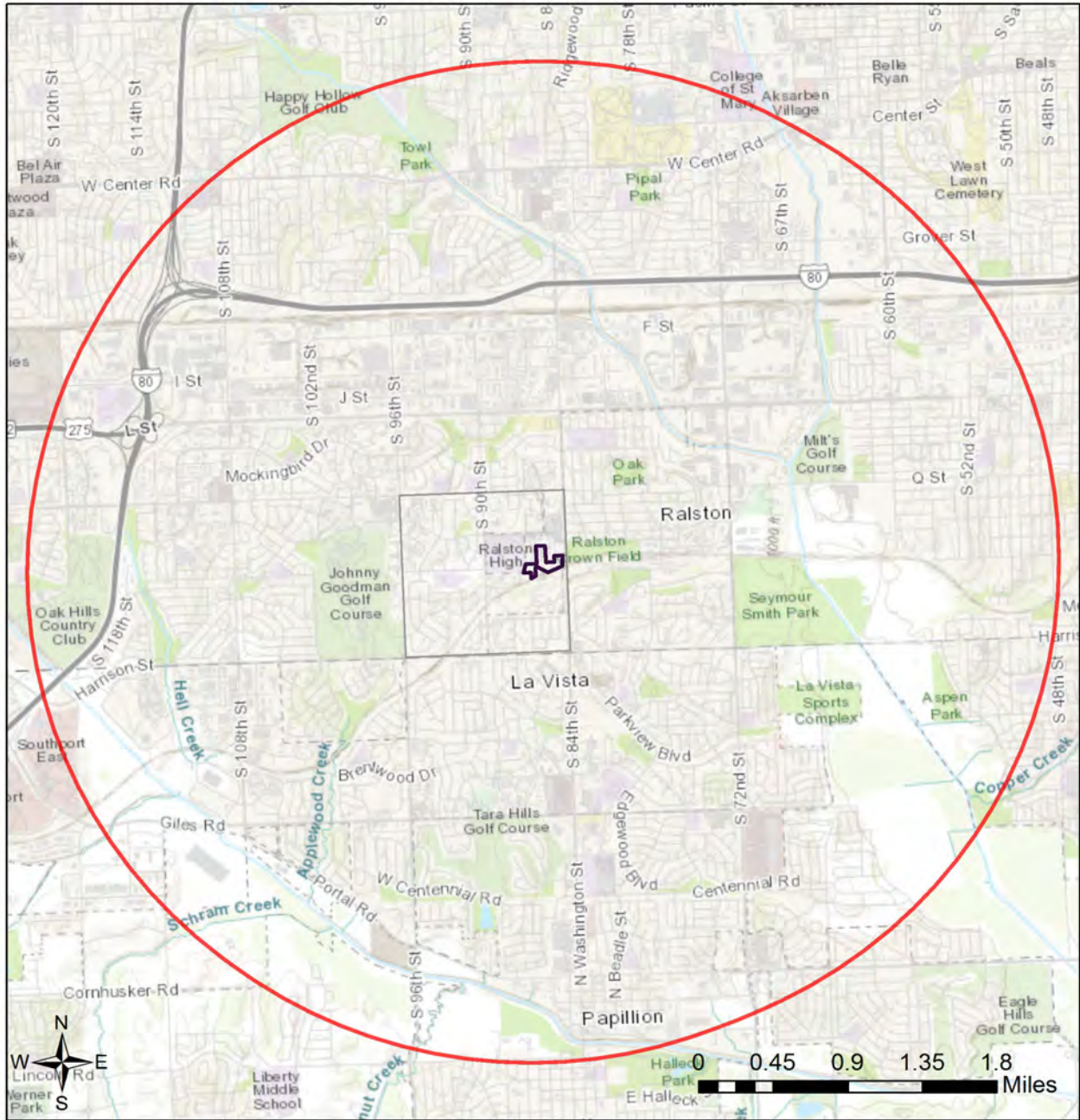
Township/Range/Section(s): T14R12ES10



Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
 Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Fred LeRoy Health & Wellness Center

Topographic Basemap With Sections and Protected Areas



- | | | |
|------------------------------------|--|-----------------------|
| Project Boundary | Protected Areas Database (USGS) | Regional Agency |
| Project Review Boundary | U.S. Fish and Wildlife Service | State (NGPC) |
| 3-mile Information Buffer Boundary | U.S. Forest Service | Other State |
| Sections | National Park Service | NGO or Private |
| NGPC Properties | Bureau of Reclamation | Other (City, Unknown) |
| PAD (USGS) - boundaries | Designation | |

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Fred LeRoy Health & Wellness Center

Web Map As Submitted By User



- Project Boundary
- Project Review Boundary

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Table 1
Protected Areas in Immediate Vicinity of Project (project review area)

This table has no results.

Table 2
Documented Occurrences in Immediate Vicinity of Project (project review area):
Natural communities and special areas

This table has no results.

Table 3
Regional Documented Occurrences of Species within 1 Mile of Project Review Area

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<i>Aesculus glabra</i> var. <i>arguta</i>	Ohio Buckeye			Tier 2	S1S2	G5T4?Q	Vascular Plant - Dicots
<i>Anaxyrus americanus</i>	American Toad		NC	Tier 2	S1	G5	Vertebrate Animal - Amphibians
<i>Anguilla rostrata</i>	American Eel			Tier 2	SNR	G4	Vertebrate Animal - Fishes
<i>Anodonta suborbiculata</i>	Flat Floater			Tier 1	S1	G5	Invertebrate Animal - Freshwater Mussels
<i>Aralia racemosa</i>	Spikenard			Tier 2	S1	G5	Vascular Plant - Dicots
<i>Brachyelytrum erectum</i>	Bearded Short-husk			Tier 2	S2	G5	Vascular Plant - Monocots
<i>Buteo lineatus</i>	Red-shouldered Hawk			Tier 2	S1	G5	Vertebrate Animal - Birds
<i>Carphophis vermis</i>	Worm Snake		NC	Tier 2	S2	G5	Vertebrate Animal - Reptiles
<i>Certhia americana</i>	Brown Creeper			Tier 2	S2	G5	Vertebrate Animal - Birds
<i>Claytonia virginica</i>	Virginia Spring-beauty			Tier 2	S1	G5	Vascular Plant - Dicots
<i>Corallorhiza odontorhiza</i>	Autumn Coral-root			Tier 2	S1?	G5	Vascular Plant - Monocots
<i>Cuscuta umbrosa</i>	Big-fruit Dodder			Tier 2	S1S3	G5	Vascular Plant - Dicots
<i>Cycleptus elongatus</i>	Blue Sucker			Tier 1	S1	G3G4	Vertebrate Animal - Fishes
<i>Dryocopus pileatus</i>	Pileated Woodpecker			Tier 2	S1	G5	Vertebrate Animal - Birds
<i>Emydoidea blandingii</i>	Blanding's Turtle		NC	Tier 1	S4	G4	Vertebrate Animal - Turtles
<i>Equisetum fluviatile</i>	Water Horsetail			Tier 2	S1	G5	Vascular Plant - Horsetails
<i>Euphyes dion</i>	Dion Skipper			Tier 2	S2	G5	Invertebrate Animal - Butterflies and Skippers
<i>Feniseca tarquinius</i>	Harvester			Tier 2	S2	G5	Invertebrate Animal - Butterflies and Skippers
<i>Haliaeetus leucocephalus</i>	Bald Eagle			Tier 2	S3	G5	Vertebrate Animal - Birds

Table 3
Regional Documented Occurrences of Species within 1 Mile of Project Review Area

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
Hybognathus placitus	Plains Minnow			Tier 1	S2	G4	Vertebrate Animal - Fishes
Lasionycteris noctivagans	Silver-haired Bat			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
Lasiurus borealis	Eastern Red Bat			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
Lasiurus cinereus	Hoary Bat			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
Lilium michiganense	Turk's Cap Lily				S2S4	G5	Vascular Plant - Monocots
Macrhybopsis gelida	Sturgeon Chub		E	Tier 1	S1	G3	Vertebrate Animal - Fishes
Macrhybopsis meeki	Sicklefin Chub			Tier 1	S1	G3	Vertebrate Animal - Fishes
Microtus pinetorum	Woodland Vole			Tier 2	S1	G5	Vertebrate Animal - Mammals
Monotropa uniflora	Indian-pipe			Tier 2	S1	G5	Vascular Plant - Dicots
Muhlenbergia tenuiflora	Slim-flower Muhly			Tier 2	S1	G5	Vascular Plant - Monocots
Myotis septentrionalis	Northern Long-eared Myotis	T	T	Tier 1	S1S2	G1G2	Vertebrate Animal - Mammals
Panax quinquefolius	American Ginseng		T	Tier 1	S1	G3G4	Vascular Plant - Dicots
Parkesia motacilla	Louisiana Waterthrush			Tier 2	S1	G5	Vertebrate Animal - Birds
Patis racemosa	Black-seed Ricegrass			Tier 2	S2	G5	Vascular Plant - Monocots
Pedicularis lanceolata	Swamp Lousewort				S3	G5	Vascular Plant - Dicots
Penstemon digitalis	Foxglove Penstemon			Tier 2	S1	G5	Vascular Plant - Dicots
Perimyotis subflavus	Tricolored Bat			Tier 1	S3	G2G3	Vertebrate Animal - Mammals
Perlesta xube	Pawnee Stonefly			Tier 1	S2?	G2	Invertebrate Animal - Stoneflies
Pimephales notatus	Bluntnose Minnow			Tier 2	S3	G5	Vertebrate Animal - Fishes
Platygobio gracilis	Flathead Chub			Tier 1	S2	G5	Vertebrate Animal - Fishes
Polyodon spathula	Paddlefish			Tier 2	S2	G4	Vertebrate Animal - Fishes
Pompeius verna	Little Glassywing			Tier 2	S2S3	G5	Invertebrate Animal - Butterflies and Skippers
Protonotaria citrea	Prothonotary Warbler			Tier 2	S2	G5	Vertebrate Animal - Birds
Scaphirhynchus albus	Pallid Sturgeon	E	E	Tier 1	S1	G2	Vertebrate Animal - Fishes
Triphora trianthophoros var. trianthophoros	Nodding-pogonia			Tier 1	S1	G4?T4?	Vascular Plant - Monocots
Ulmus thomasii	Rock Elm				S2S4	G5	Vascular Plant - Dicots
Vireo flavifrons	Yellow-throated Vireo			Tier 2	S3	G5	Vertebrate Animal - Birds

Table 3
Regional Documented Occurrences of Species within 1 Mile of Project Review Area

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
Zizania palustris	Northern Wild-rice				S3	G5	Vascular Plant - Monocots

Table 4
Potential Occurrences in Immediate Vicinity of Project (project review area):
Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
Ammodramus henslowii	Henslow's Sparrow	Range			Tier 1	S1	G4	Vertebrate Animal - Birds
Asio flammeus	Short-eared Owl	Range			Tier 1	S2	G5	Vertebrate Animal - Birds
Atrytone arogos iowa	Iowa Skipper	Range			Tier 1	S1	G2G3T2T3	Invertebrate Animal - Butterflies and Skippers
Boloria selene nebraskensis	Nebraska Fritillary	Range			Tier 1	SNR	G5T3T4	Invertebrate Animal - Butterflies and Skippers
Calidris subruficollis	Buff-breasted Sandpiper	Range			Tier 1	S2N	G4	Vertebrate Animal - Birds
Catocala nuptialis	Married Underwing	Range			Tier 1	SNR	G3	Invertebrate Animal - Underwing Moths
Catocala whitneyi	Whitney Underwing	Range			Tier 1	S1	G2G3	Invertebrate Animal - Underwing Moths
Coccyzus erythrophthalmus	Black-billed Cuckoo	Range			Tier 1	S3	G5	Vertebrate Animal - Birds
Danaus plexippus	Monarch	Range			Tier 1	S2	G4	Invertebrate Animal - Butterflies and Skippers
Emydoidea blandingii	Blanding's Turtle	Range		NC	Tier 1	S4	G4	Vertebrate Animal - Turtles
Erynnis martialis	Mottled Duskywing	Range			Tier 1	S2	G3	Invertebrate Animal - Butterflies and Skippers
Euphyes bimacula illinois	Two-spotted Skipper	Range			Tier 1	S3	G4T1T2	Invertebrate Animal - Butterflies and Skippers
Fundulus sciadicus	Plains Topminnow	Range			Tier 1	S3	G4	Vertebrate Animal - Fishes
Haliaeetus leucocephalus	Bald Eagle	Range			Tier 2	S3	G5	Vertebrate Animal - Birds
Hesperia ottoe	Ottoe Skipper	Range			Tier 1	S2	G3	Invertebrate Animal - Butterflies and Skippers
Lanius ludovicianus	Loggerhead Shrike	Range			Tier 1	S3	G4	Vertebrate Animal - Birds
Lasionycteris noctivagans	Silver-haired Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals

Table 4
Potential Occurrences in Immediate Vicinity of Project (project review area):
Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
Lasiurus borealis	Eastern Red Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
Lasiurus cinereus	Hoary Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
Lethe eurydice fumosus	Smoky-eyed Brown	Range			Tier 1	S3	G5T3T4	Invertebrate Animal - Butterflies and Skippers
Myotis lucifugus	Little Brown Myotis	Range			Tier 1	SNR	G3	Vertebrate Animal - Mammals
Myotis septentrionalis	Northern Long-eared Myotis	Range	T	T	Tier 1	S1S2	G1G2	Vertebrate Animal - Mammals
Perimyotis subflavus	Tricolored Bat	Range			Tier 1	S3	G2G3	Vertebrate Animal - Mammals
Platanthera praeclara	Western Prairie Fringed Orchid	Range	T	T	Tier 1	S2	G3	Vascular Plant - Flowering Plants
Problema byssus kumskaka	Byssus Skipper	Range			Tier 1	S1	G4TNR	Invertebrate Animal - Butterflies and Skippers
Speyeria idalia	Regal Fritillary	Range			Tier 1	S3	G3?	Invertebrate Animal - Butterflies and Skippers

Appendix H

Northern Long-Eared Bat Determination



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Nebraska Ecological Services Field Office
9325 B South Alda Rd., Ste B
Wood River, NE 68883-9565
Phone: (308) 382-6468 Fax: (308) 384-8835
<http://www.fws.gov/nebraskaes>

In Reply Refer To:

September 21, 2021

Consultation code: 06E22000-2021-TA-0656

Event Code: 06E22000-2021-E-01237

Project Name: Fred LeRoy Health and Wellness Center Relocation

Subject: Verification letter for the 'Fred LeRoy Health and Wellness Center Relocation' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Ben Ruhme:

The U.S. Fish and Wildlife Service (Service) received on September 21, 2021 your effects determination for the 'Fred LeRoy Health and Wellness Center Relocation' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"^[1] prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Pallid Sturgeon *Scaphirhynchus albus* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Western Prairie Fringed Orchid *Platanthera praeclara* Threatened

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Fred LeRoy Health and Wellness Center Relocation

2. Description

The following description was provided for the project 'Fred LeRoy Health and Wellness Center Relocation':

The project will involve significant renovations to the existing health center and greatly expand it's capacity to provide health/wellness services to tribal members. Construction is anticipated to begin in late 2021 or 2022.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.199024449999996,-96.04586558267866,14z>



Determination Key Result

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?
Yes
2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")
No
3. Will your activity purposefully **Take** northern long-eared bats?
No
4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?
Automatically answered
No
5. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

Yes

6. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?
No
 7. Will the action involve Tree Removal?
Yes
-

8. Will the action only remove hazardous trees for the protection of human life or property?

No

9. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

No

10. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

0

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

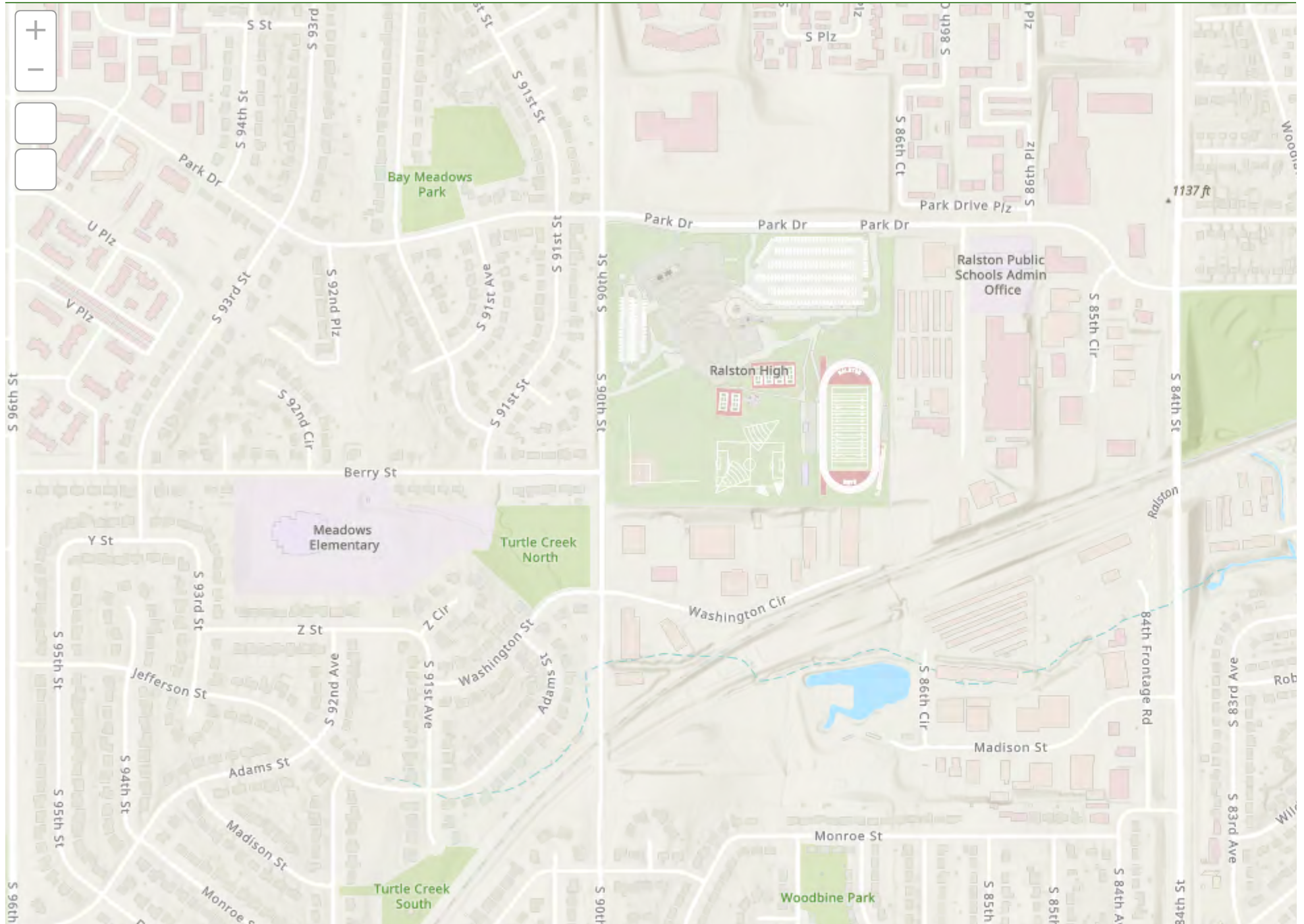
0

Appendix I
Parks finder



Parks Finder

...locate park and recreation areas in our community



Appendix J
Transportation Noise

View Aviation (✈️), Road (🚗), Rail (🚂) Noise in the U.S. for 2016 and 2018

5707 South 86th Ci...

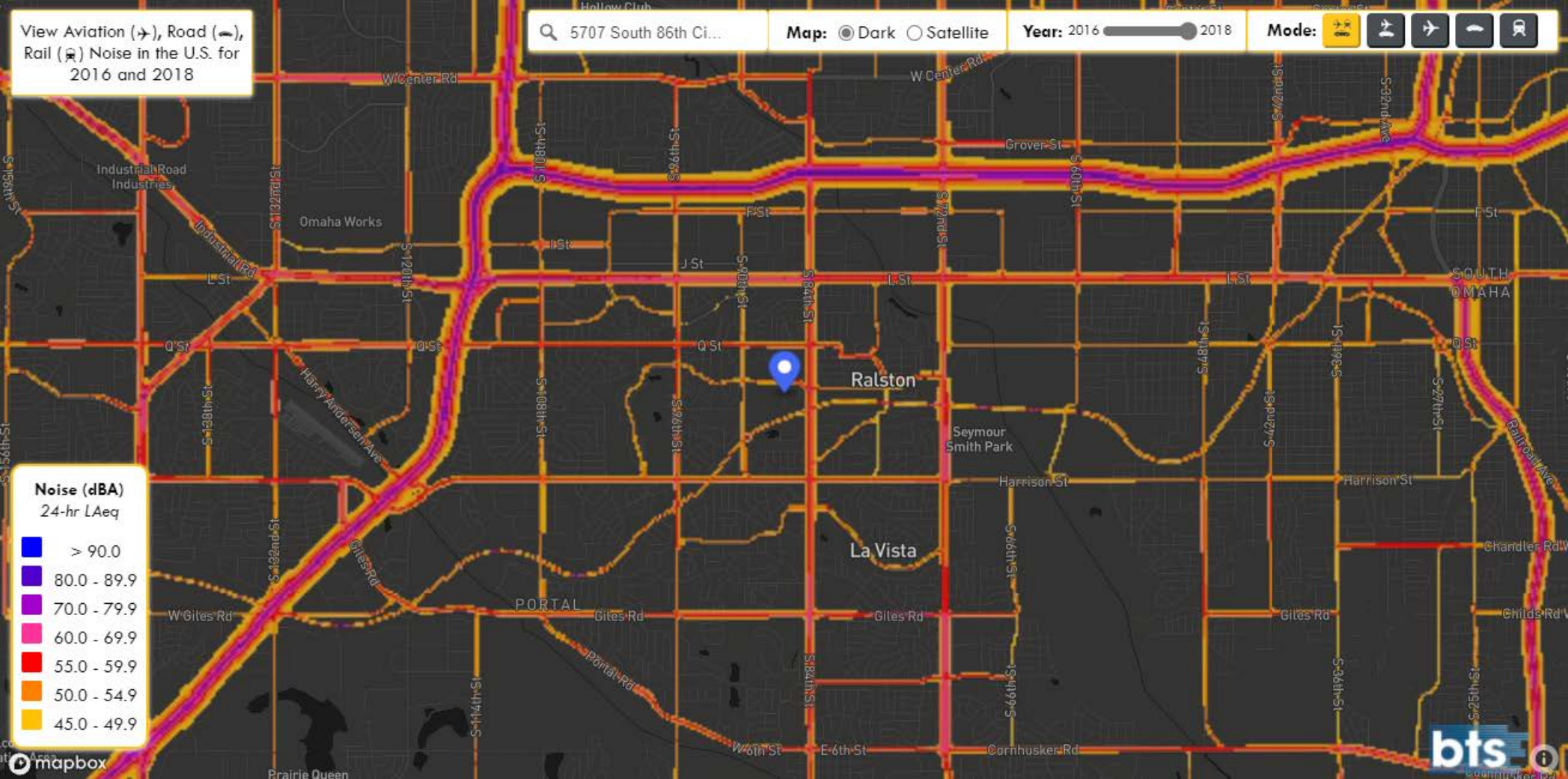
Map: Dark Satellite

Year: 2016 2018

Mode:

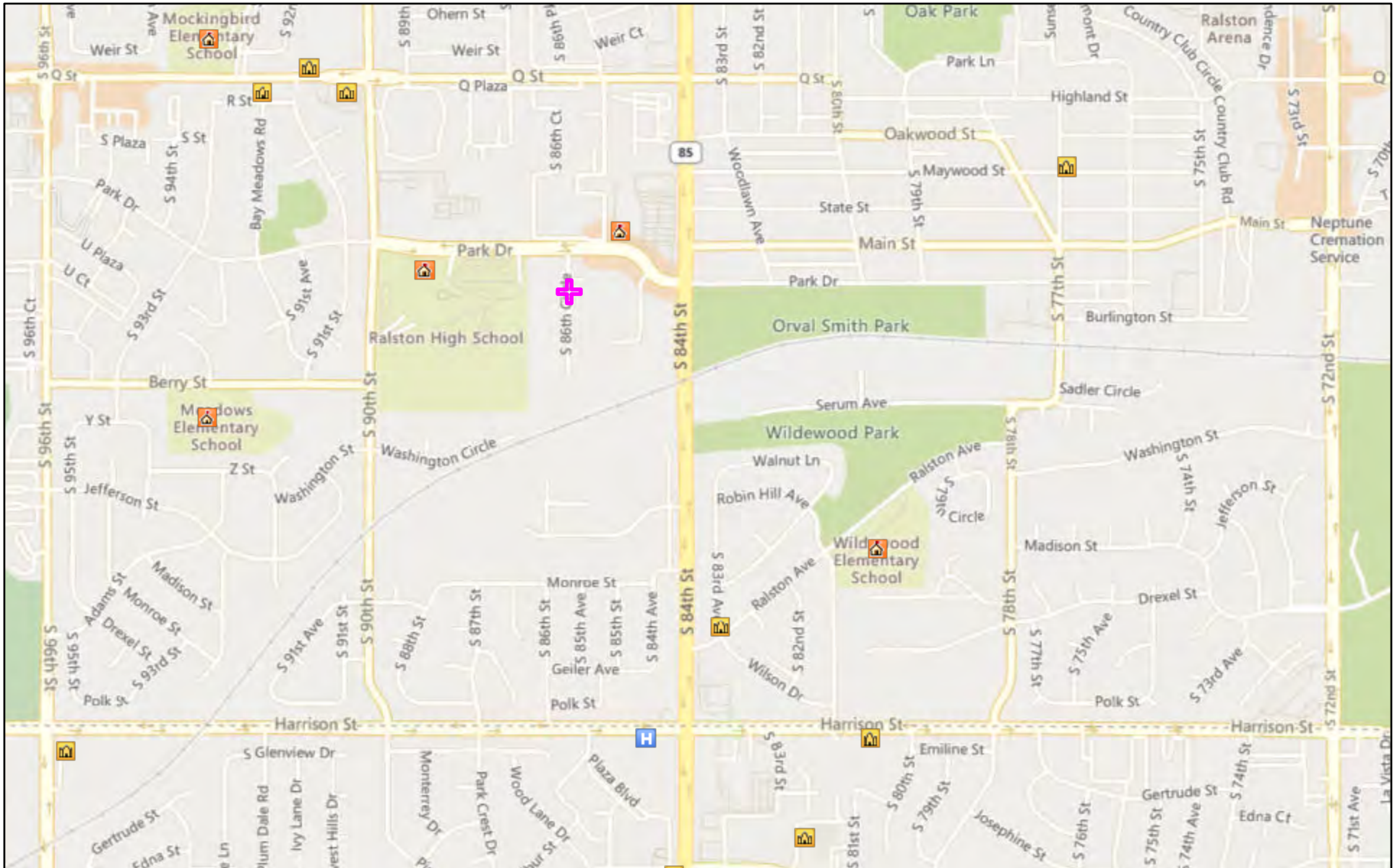
Noise (dBA)
24-hr LAeq

Blue	> 90.0
Dark Purple	80.0 - 89.9
Purple	70.0 - 79.9
Magenta	60.0 - 69.9
Red	55.0 - 59.9
Orange	50.0 - 54.9
Yellow	45.0 - 49.9








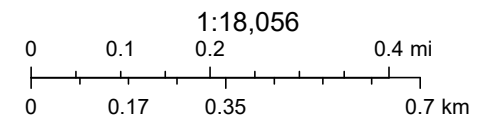
Appendix K
Historic Places

Places



September 21, 2021

-  Search Result (point)
-  Places of Worship
-  National Register of Historic Places
-  Hospitals
-  Schools



Appendix L
SHPO Response



Submission of a completed Project Information Form with adequate information and attachments constitutes a request for review pursuant to Section 106 of the National Historic Preservation Act of 1966 (as amended). More information may be required to adequately complete the Section 106 process. Submit completed form to HN.HP@nebraska.gov.

NE State Historic
Preservation Office

NOTE: Section 106 regulations provide for a 30-day response time by the Nebraska State Historic Preservation Office from the date of receipt.

PROJECT NAME (if applicable) **Fred LeRoy Health and Wellness Center**
 COUNTY **Douglas** STREET ADDRESS (No P.O. Box Numbers) **5711 South 86th Circle** CITY **Omaha**
 FEDERAL AGENCY OR DESIGNEE **Indian Health Service (Department of Health & Human Services)**
 CONTACT PERSON **Roy Griffith** CITY, STATE ZIP **420 S Garfield, Ste 200, Pierre, SD 57501** TELEPHONE **+1 (605) 945-5434**
 EMAIL (for response) _____

roy.griffith@ihs.gov Please copy bruhme@braunintertec.com in your response.

PROJECT DESCRIPTION

Briefly describe the overall project.

The Ponca Tribe of Nebraska has purchased the former InfoGroup Headquarters property located at the terminus of S. 86th Circle in south Omaha and proposes to redevelop the campus into a facility for Tribal Services, Health Services, Community Center, Transportation Center, Sweat Lodge and incidental uses. The ±11.23-acre Site is made up of 7 separate parcels, containing a ±156,000 SF office building, a ±16,000 SF office building, and a ±9,000 out building with surrounding parking lots. The Ponca Tribe has outgrown their current property and is seeking more space to offer public health and other services to tribal members, with plans to expand services to other Native Americans and non-Natives alike in the Omaha area. Due to the Tribe's relationships with and within the City of Omaha and the concentration of its members, the Ponca Tribe would like to remain located in the City of Omaha.

DESIGNATIONS

To the best of your knowledge, is the structure any of the following?

- Listed Individually on the National Register
- Listed within a National Register Historic District
- Designated Local Landmark
- Designated Local Landmark District

PHOTOGRAPHS

Please provide photographs of all structures. Photographs of neighboring or nearby buildings are helpful. Go to page 2 to insert photo(s).

NESHPO USE ONLY

Nebraska SHPO Determination Site Number: _____

No potential to cause effects

No historic properties affected

No adverse effect

Adverse effect (More consultation needed)

The SHPO requests additional information (see attached)

Review & Compliance Coordinator
State Historic Preservation Office, Nebraska State Historical Society

Date 9/10/21

10/7/21

Section 106 Response: **Braun Intertec Corporation; Project B2107779**

Greetings,

Thank you for submitting this project for review and comment. We the Ponca Tribe of Nebraska Tribal Historical Preservation Office have received all information and materials requested for our Section 106 Review and Consultation. As you know, our comment on this project and its potential to affect historic, archeological, Traditional Cultural Places (TCP), or sacred Ponca sites or properties is required by Section 106 of the National Historic Preservation Act of 1966 (NHPA), and 36 CFR Part 800.

You are hereby notified that there should be no Ponca archeological, historic, TCPs, or sacred sites in or near your proposed project site to be adversely affected by your project. Therefore, in accordance with 36 CFR 800.4(d)(1), please proceed with your proposed project. However, please be aware that as the projects continue, you may encounter undiscovered properties or remains which must be immediately reported to us under both NHPA and NAGPRA regulations.

This information is provided at your request to assist you in complying with 36 CFR 800 for Section 106 consultation procedures. Please retain this correspondence to show compliance with Section 106.

Wi Btha Ha (Thank you),

Stacy Laravie

THPO

Ponca Tribe of Nebraska

88915 521 Ave.

Niobrara, NE 68760

402-857-3519 Ext: 102

ssettje@poncatribene.org

Appendix M

References

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