

APPENDIX A
Agency Correspondence

Paul Jackson

From: Joe Summerlin <Summerlin.Joe@epamail.epa.gov>
Sent: Monday, February 06, 2012 2:33 PM
To: pjackson@tlassoc.com
Subject: EPA Comments: VA Proposed National Cemetery Sarpy County, NE
Attachments: 12-0056.pptx

Dear Mr. Jackson:

This letter responds to your correspondence, dated January 12, 2012, concerning the construction of a proposed national cemetery at the Northeast corner of South 144th St. and Schram Rd. Thank you for involving the Environmental Protection Agency during the consideration of environmental impacts either to or from this project.

In evaluating this action, I referred to EPA Region 7's NEPAAssist database for spatial relationships of environmentally regulated facilities and remediation sites. Though no issues were found that should interfere with the planned project. The attached map and facilities listing show the results of this inquiry.

Upon further evaluation, the EPA would urge you to consider the following:

- Consider soils, above ground watersheds and underground water systems:
- Will the soils help/hinder biological contamination issues associated with post-mortem decomposition?
- Are the soils such that ground water contamination will be lessened?
- Will there be a need to create a impermeable barrier, or will the hardpan be enough?
- Will runoff be a concern, both during construction and normal operation?

- Are your compliance procedures up-to-date?
- You mention use of the VA Environmental Compliance Manual – Compliance Procedures Manual for the NEPA as Applied to Construction related Activities (July 1998). Are the policies in this manual sufficient?
- Have there been significant technological advances in BMPs, soil filtration, building construction, energy consumption since 1998?

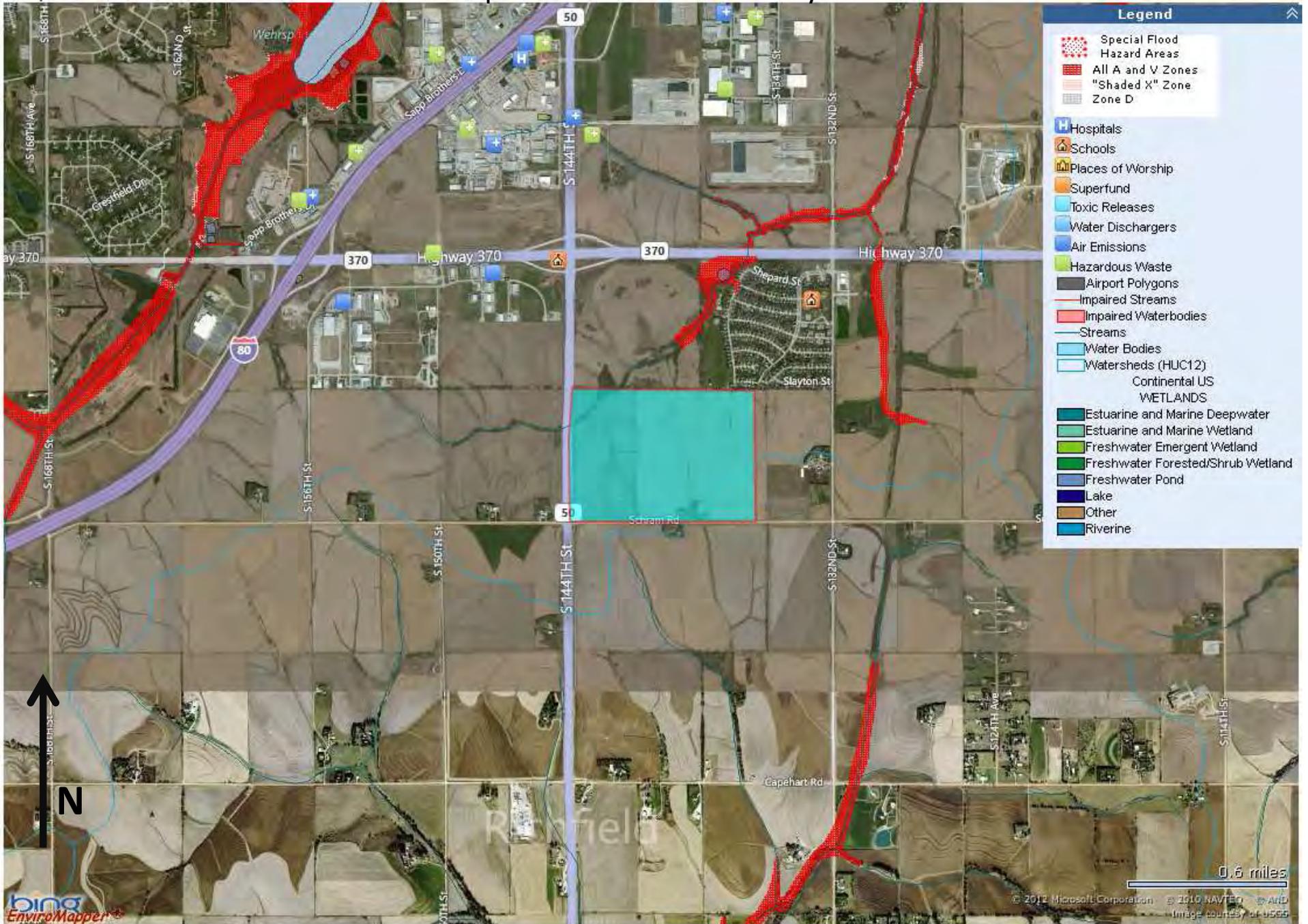
Thank you for the opportunity to provide comments on this proposed project. In order to better serve my clients, I am requesting a copy of the final assessment to gain a better understanding of the VA's overall EA process. This will not only garner a renewed partnership between our agencies, but also give our agents a better understanding of the products and tools that may be useful to the VA in the future. If you have any additional questions, please contact me at (913) 551-7209, or via email at summerlin.joe@epa.gov.

Sincerely,

Joe Summerlin
ENSV/IO
EPA Region 7
Phone: (913) 551-7029
Fax: (913) 551-9029



Proposed National Cemetary



Environmental Concerns

Within 1000 meters of an airport?	no
Within an EJ COOCURRENCE (Minority/Poverty/Both) blockgroup?	no
Within 500 meters of a National Historic Place?	no
Within 500 meters of a National Heritage T/E Hexagon?	no
Within 500 meters of an AIRS/AFS site?	no
Within 500 meters of a CERCLIS site?	no
Within 500 meters of a RCRA facility?	no
Within 500 meters of a LQG RCRA facility?	no
Within 500 meters of a PCS (NPDES) Major facility?	no
Within 500 meters of a PCS facility?	no
Within 500 meters of a SWDIS facility?	no

Other Concerns:

- Consider soils and both above ground and underground water systems:
 - Will the soils help/hinder biological contamination issues associated with post-mortem decomposition?
 - Are the soils such that ground water contamination will be lessened?
 - Will there be a need to create a impermeable barrier, or will the hardpan be enough?
 - Will runoff be a concern, both during construction and normal operation?
- Are your compliance procedures up-to-date?
 - You mention use of the VA Environmental Compliance Manual – Compliance Procedures Manual for the NEPA as Applied to Construction-Related Activities (July 1998). Are the policies in this manual sufficient?

Paul Jackson

From: Wacker, Craig <craig.wacker@nebraska.gov>
Sent: Thursday, February 02, 2012 10:19 AM
To: pjackson@ttlassoc.com
Subject: Dept of Veterans Affairs Proposed Cemetary

The Nebraska Department of Natural Resources has reviewed the proposed project for floodplain, surface water rights, and groundwater wells, and found no significant issues.

If you have any questions about this message or need me to reply with a signed hard copy, please reply back or call me at (402) 471-3957.

Thank You

Craig Wacker | AICP | LEED AP
Natural Resources Planner Coordinator
Nebraska Department of Natural Resources
Direct Line: (402) 471-3957
Main Line: (402) 471-2363
Fax: (402) 471-2900
Website: www.dnr.ne.gov

Danielle Iott

From: Paul Jackson <pjacksonttl@charter.net>
Sent: Thursday, February 16, 2012 1:21 PM
To: Danielle Iott
Subject: FW: NEPA Coordination- Proposed National Cemetery in Sarpy County

Just received.

Paul Jackson
TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170
Phone: 734-455-8600 x 1262
Fax: 734-455-8608

From: Hansen, Jake (Mapa) [<mailto:JHansen@Mapacog.org>]
Sent: Thursday, February 16, 2012 1:01 PM
To: pjackson@ttlassoc.com
Subject: NEPA Coordination- Proposed National Cemetery in Sarpy County

Dear Mr. Jackson,

Thank you for contacting Metropolitan Area Planning Agency (MAPA) in your letter dated January 12, 2012 in reference to intergovernmental coordination pertaining to a proposed national cemetery at a 235-acre site located on the northeast corner of South 144th Street and Schram Road in Sarpy County, Nebraska. The purpose of this correspondence to provide comments pertaining to the proposed activities at this site.

MAPA is designated as the regional Council of Governments and Economic Development District (EDD) serving a five-county territory in eastern Nebraska and western Iowa which includes Sarpy County. Our membership includes the five counties, 38 cities, and nineteen special purpose districts, with whom we work closely on matters pertaining to transportation, housing, land use, economic development, and intergovernmental coordination. To this end, we have worked very closely over the years with our local economic development partners and our regional planning and zoning officials to identify optimal uses for undeveloped lands within our region which may contain high potential for future development of any type.

In particular, the subject site has been identified by Sarpy County Economic Development Corporation as a prime site for future commercial/industrial use due to its proximity to key transportation corridors and essential utilities. SCEDC has voiced concerns to MAPA about the permanent conversion of this site to a use other than for commercial/industrial activity, due to the diminished availability of suitable sites for key industry cluster development in our region, and also due to the lack of compatibility with existing and future land uses in the area of the subject site. Essentially, the proposed use does not appear to be compatible with local future land use plans and with our regional strategic economic development goal of identifying and preserving key sites and corridors for commercial/industrial development in the MAPA region.

The MAPA EDD welcomes the prospect of locating a national cemetery in our region and is supportive of efforts to identify an optimal site for the proposed project. We are hopeful that an alternative site for the project might be identified in our region which allows for construction of the cemetery without reducing the availability of prime lands for future economic development activity.

Thank you once again for allowing MAPA the opportunity to comment on this project. If you have any questions, please do not hesitate to contact me.

Sincerely,

Jake Hansen
Community/Economic Development Manager
Metropolitan Area Planning Agency
2222 Cuming
Omaha, NE 68102-4328
p: (402) 444-6866 x226
f: (402) 342-0949
www.mapacog.org



Nebraska Game and Parks Commission

2200 N. 33rd St. / P.O. Box 30370 / Lincoln, NE 68503-0370

Phone: 402-471-0641 / Fax: 402-471-5528 / www.OutdoorNebraska.org

February 28, 2012

Paul Jackson
TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, MI 48170

RE: Proposed National Cemetery, Northeast Corner of South 144th Street and Schram Road in Sarpy County

Dear Mr. Jackson:

Nebraska Game and Parks Commission (NGPC) staff members have reviewed the information for the proposal identified above. The project would involve the selection of a site for the future proposed construction and operation of a National Cemetery of about 235 acres in size. This review was requested pursuant to the National Environmental Policy Act (NEPA).

The project would not impact any NGPC State Park, State Recreation, or State Wildlife Management Areas, as none are located in the immediate project area.

The project site is located within the range of the state-listed threatened Western prairie fringed orchid (*Platanthera praeclara*). The Western prairie fringed orchid is a plant species that occurs in native tall or mixed-grass prairies that are associated with wet meadows. Although the plant can be a colonizer species and grow on disturbed areas, it is found in greatest abundance on high quality prairie. The plant blooms in late June to July. Based on our review of 2010 aerial photography, the site looks to be mostly composed of agricultural land uses. Land that is being used for agricultural purposes would not be suitable habitat for the orchid. However, if any areas of native prairie vegetation exist within the project site, then those areas should be assessed to determine if they could provide suitable habitat for the orchid. Results from a habitat assessment, if conducted, should be provided to us for review. No other state-listed threatened and endangered species would be adversely impacted by the proposed project.

In general, NGPC has concerns for impacts to wetlands, streams and riparian habitats. We encourage 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 any wetlands or streams as a result of the proposed project, the U.S. Army Corps of Engineers should be contacted to determine if a 404 permit is needed.

Under the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712: Ch 128 *as amended*) construction activities in grassland, wetland, stream, and woodland habitats that would otherwise

result in the taking of migratory birds, eggs, young, and/or active nests should be avoided. The primary nesting season for migratory birds is from April 1 to July 15. However, some species of migratory birds are known to nest outside of this period. Construction activities should be scheduled to avoid impacting migratory bird nesting. The U.S. Fish and Wildlife Service, Ecological Services Office in Grand Island should be contacted for information on how to avoid the unnecessary take of migratory birds.

Thank you for the opportunity to review this proposal. If you have any questions regarding these comments, please contact me at (402) 471-5423 or carey.grell@nebraska.gov.

Sincerely,

A handwritten signature in black ink that reads "Carey Grell". The signature is written in a cursive style with a large, looped initial "C".

Carey Grell
Environmental Analyst
Environmental Services Division

Danielle Iott

From: Paul Jackson <pjacksonttl@charter.net>
Sent: Wednesday, February 15, 2012 8:02 AM
To: Danielle Iott
Cc: Rob Clark
Subject: FW: Proposed National Cemetery

FYI

Paul Jackson
TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170
Phone: 734-455-8600 x 1262
Fax: 734-455-8608

From: Weander, Tim [<mailto:Tim.Weander@nebraska.gov>]
Sent: Tuesday, February 14, 2012 6:00 PM
To: pjackson@tlassoc.com
Cc: Edgington, JoEllen
Subject: Proposed National Cemetery

Mr. Jackson,

I have received your letter of January 12, 2012 concerning this site and possible improvement.

The Nebraska Department of Roads has the following concerns with this improvement:

1. The N-50 access locations are established and will not be changed. Therefore any access from N-50 will be via existing access locations.
2. A Traffic Impact Study (TIS) will be required by the developer to determine whether any improvements need to be made on the highway due to additional traffic or operational concerns. The design and construction of any highway improvements will be the responsibility of the developer.
3. The drainage from the site needs to match NDOR's design flow for drainage structures under N-50. Any retainage, if needed will occur on the cemetery property before being released to NDOR structures. A drainage study will be required.
4. A NDOR Right-of-way permit shall be submitted and shall include the TIS, the Drainage Study, site plans for drainage control, driveway plans and highway improvements for NDOR approval. This submittal can be discussed and coordinated as this development proceeds.

Thank you for allowing NDOR review and we hope for a successful completion of this important project.

Timothy W. Weander, P.E.
District 2 Engineer
Nebraska Department of Roads
4425 S. 108th St.
Omaha, Nebraska
(402)-595-2534

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February 3, 2012

TTL Associates, Inc.
ATTN: Paul J. Jackson
44265 Plymouth Oaks Boulevard
Plymouth, MI 48170

RE: Proposed National Cemetery, NEC of S 144th (Hwy 50) & Schram Road, Sarpy County
HP # 1201-062-01

Dear Mr. Jackson:

Your submittal for the referenced project has been reviewed by our office. Our comments on this project and its potential to affect historic properties is required by Section 106 of the National Historic Preservation Act of 1966, as amended, and implementing regulations at 36 CFR Part 800.

A review of our records indicates no currently recorded historic resources or historic resource surveys for the area of the proposed project. Archaeological sites, however, are reported nearby in similar terrain conditions as the proposed project. It is the recommendation of the Nebraska State Historic Preservation Office that the location be inspected by a qualified archaeologist to determine if unreported sites will be affected. Our recommendation for an archaeological survey is, however, at the direction of the federal agency, or their designee, for compliance with Section 106.

This review does not constitute the opinions of any Native American Tribes that may have an interest in this project or Traditional Cultural Properties potentially affected by this project.

Please contact Terry Steinacher at 308.665.2918 or terry.steinacher@nebraska.gov if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bob Puschendorf", written in a cursive style.

L. Robert Puschendorf
Deputy State Historic Preservation Officer

1500 R Street
PO Box 82554
Lincoln, NE 68501-2554
p: (800) 833-6747
(402) 471-3270
f: (402) 471-3100
www.nebraskahistory.org



DEPARTMENT OF VETERANS AFFAIRS
Office of Construction & Facilities Management
Washington DC 20420



AUG 20 2012

Jill E. Dolberg
Review and Compliance Coordinator, State Historic Preservation Office
Nebraska State Historical Society
1500 R Street
Post Office Box 82554
Lincoln, NE 68501-2554

RECEIVED
SEP 03 2012
BY: _____

Re: Report titled *Cultural Resources File Search and Archeological Survey of 235 acres for the Proposed Omaha National Cemetery in Sarpy County, Nebraska.* Authored by Shannon R. Ryan, Katherine Grandine, and Alan R. Potter, R. Christopher Goodwin & Associates, Inc.

Dear Ms. Dolberg,

Please find the draft inventory report for the above referenced project enclosed for review by the Nebraska State Historic Preservation Office. Please find enclosed one (1) unbound copy of the draft inventory report and project map appendix. This report details the findings of 235 acre Phase I archeological investigation conducted at the location of the proposed Omaha National Cemetery in Sarpy County, Nebraska. The investigation took place in May 2012 and was conducted by R. Christopher Goodwin & Associate, Inc.

One historical archeological site / built resources property (25SY410/Locus RCG&A-1) was identified and recorded as a result of this investigation. This site is recommended not eligible for listing in the National Register of Historic Places. No historic properties will be affected by this project and no further cultural resources investigations are recommended.

Please feel free to contact Shannon Ryan at R. Christopher Goodwin & Associates (office 785-856-0744, sryan@rcgoodwin.com) if you have any questions or concerns about the enclosed materials.

Sincerely,

Ed Swift
Project Manager
Real Property Service
Department of Veterans Affairs
Washington, DC

Enclosure: Final Report, 1 unbound copy

HP# 1201-062-01
County ST
STR. ARCHEO.
Resp. _____ Date _____

CONCUR

DEPUTY STATE HISTORIC PRESERVATION OFFICER

DATE: 9/13/12

Danielle Iott

From: Paul Jackson <pjacksonttl@charter.net>
Sent: Tuesday, February 14, 2012 1:11 PM
To: Danielle Iott
Subject: FW: Proposed National Cemetery - NE corner 144th St. and Schram Road

Danielle:

Just received this response from Sarpy County Planning and Building Department.

Paul Jackson
TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170
Phone: 734-455-8600 x 1262
Fax: 734-455-8608

From: Bruce Fountain [<mailto:bfountain@sarpy.com>]
Sent: Tuesday, February 14, 2012 12:48 PM
To: 'pjackson@tlassoc.com'
Cc: Mark Wayne; Scott Bovick; 'Toby Churchill'
Subject: Proposed National Cemetery - NE corner 144th St. and Schram Road

Mr. Jackson,

In response to your January 12, 2012 letter regarding the Intergovernmental and Interagency Coordination of Environmental Planning for the Department of Veteran Affairs Proposed National Cemetery site at the northeast corner of 114th Street and Schram Road, this is to provide you with information regarding The County's land use designations and long term vision for the subject area.

Following are the County's zoning and future land use designations for the site and surrounding area:

CURRENT ZONING DESIGNATIONS

- Subject Site – AG (Agricultural Farming District)
- North of Subject Site – RE2 (Residential Estate District) – minimum of 2 acre lots
- East of Subject Site – AG (Agricultural Farming District)
- South of Subject Site – AG (Agricultural Farming District)
- West of Subject Site – AG (Agricultural Farming District) and IL (Light Industrial District)
- The area is also in the Highway Corridor Overlay District

FUTURE LAND USE DESIGNATIONS

- Subject Site – Mixed Use and Urban Residential
- North of Subject Site – Mixed Use, Mixed Use Center, and Urban Residential
- East of Subject Site – Urban Residential
- South of Subject Site – Mixed Use, Mixed Use Center, Urban Residential, and Urban Residential II (higher density)
- West of Subject Site – Mixed Use and Business Park

The Sarpy County Economic Development Corporation has been studying sites along the Highway 50 (144th Street) corridor for some time now as an area for future business park and light industrial development. It is believed that the

long range development of the corridor in this area will be a mix of commercial, business park and light industrial development.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Bruce A. Fountain

Bruce A. Fountain, AICP, EDFP
Director, Planning & Building Dept.



Sarpy County, Nebraska
1210 Golden Gate Dr.
Papillion, NE 68046
Office: 402-593-1556
bfountain@sarpy.com

Paul Jackson

From: Bruce Fountain <bfountain@sarpy.com>
Sent: Monday, May 21, 2012 2:29 PM
To: 'Paul Jackson'
Subject: RE: Proposed National Cemetary - NE corner 144th St. and Schram Road
Attachments: Highway Corridor Overlay District - Hwys 50 & 370.pdf

Mr. Jackson,

Attached is a copy of a map of this area which shows the Highway Corridor Overlay District in the cross-hatched areas along Highway 50 and Highway 370.

As you mention, the subject site and surrounding area are currently zoned AG(Agricultural), which tends to be a sort of holding zone for areas such as this until they are developed. The future land use designations of the County's Comprehensive Plan in this corridor, as mentioned before, are for a variety of uses including light industrial, business park, commercial, higher density residential and mixed use type developments.

I hope this is helpful and what you were looking for. If you need any additional information, please feel free to call me.

Thanks,

Bruce

Bruce A. Fountain, AICP, EDFP
Director, Planning & Building Dept.



Sarpy County, Nebraska
1210 Golden Gate Dr.
Papillion, NE 68046

☎ Phone: **402-593-1556**

📠 Fax: 402-593-1558

✉ Email: bfountain@sarpy.com

🌐 Website: www.sarpy.com

From: Paul Jackson [mailto:pjacksonttl@charter.net]
Sent: Monday, May 21, 2012 12:32 PM
To: Bruce Fountain
Subject: RE: Proposed National Cemetary - NE corner 144th St. and Schram Road

Mr. Fountain:

The current zoning designation maps show the entire site as AG. Do you have any zoning maps that would show the areas of the current Highway Corridor Overlay District?

Thanks,

Paul Jackson
TTL Associates, Inc.
44265 Plymouth Oaks Boulevard
Plymouth, Michigan 48170
Phone: 734-455-8600 x 1262
Fax: 734-455-8608

From: Bruce Fountain [<mailto:bfountain@sarpy.com>]
Sent: Tuesday, February 14, 2012 12:48 PM
To: 'pjackson@ttlassoc.com'
Cc: Mark Wayne; Scott Bovick; 'Toby Churchill'
Subject: Proposed National Cemetary - NE corner 144th St. and Schram Road

Mr. Jackson,

In response to your January 12, 2012 letter regarding the Intergovernmental and Interagency Coordination of Environmental Planning for the Department of Veteran Affairs Proposed National Cemetery site at the northeast corner of 114th Street and Schram Road, this is to provide you with information regarding The County's land use designations and long term vision for the subject area.

Following are the County's zoning and future land use designations for the site and surrounding area:

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- Subject Site – AG (Agricultural Farming District)
- North of Subject Site – RE2 (Residential Estate District) – minimum of 2 acre lots
- East of Subject Site – AG (Agricultural Farming District)
- South of Subject Site – AG (Agricultural Farming District)
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- The area is also in the Highway Corridor Overlay District

FUTURE LAND USE DESIGNATIONS

- Subject Site – Mixed Use and Urban Residential
- North of Subject Site – Mixed Use, Mixed Use Center, and Urban Residential
- East of Subject Site – Urban Residential
- South of Subject Site – Mixed Use, Mixed Use Center, Urban Residential, and Urban Residential II (higher density)
- West of Subject Site – Mixed Use and Business Park

The Sarpy County Economic Development Corporation has been studying sites along the Highway 50 (144th Street) corridor for some time now as an area for future business park and light industrial development. It is believed that the long range development of the corridor in this area will be a mix of commercial, business park and light industrial development.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Bruce A. Fountain

Bruce A. Fountain, AICP, EDFP
Director, Planning & Building Dept.



Sarpy County, Nebraska
1210 Golden Gate Dr.
Papillion, NE 68046
Office: 402-593-1556
bfountain@sarpy.com

Sarpy County, Nebraska



Disclaimer: This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale
1 inch = 2304 feet

5/21/2012

Paul Jackson

From: Taylor, Bernadette W NWO <Bernadette.W.Taylor@usace.army.mil>
Sent: Thursday, January 19, 2012 10:51 AM
To: Paul Jackson
Subject: RE: National Cemetery at Hwy 50 and Schram Road (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I need the information I requested for our data base.

Ms. Bernie Taylor, Regulatory Assistant // US Army Corps of Engineers - Wehrspann Field Office // 8901 South 154 St
Ste 1 Omaha, NE 68138-3621 //
402-896-0896 / Fax 402-896-0997
Permit Application : <http://www.usace.army.mil/CECW/>

-----Original Message-----

From: Paul Jackson [mailto:pjacksonttl@charter.net]
Sent: Thursday, January 19, 2012 9:04 AM
To: Taylor, Bernadette W NWO
Subject: RE: National Cemetery at Hwy 50 and Schram Road (UNCLASSIFIED)

Bernie:

Typically we, as a consultant for VA, collect agency data and then present the information to VA. However, if necessary, I can provide you with a VA contact.

Thanks,

Paul Jackson

TTL Associates, Inc.

44265 Plymouth Oaks Boulevard

Plymouth, Michigan 48170

Phone: 734-455-8600 x 1262

Fax: 734-455-8608

-----Original Message-----

From: Taylor, Bernadette W NWO [mailto:Bernadette.W.Taylor@usace.army.mil]
Sent: Thursday, January 19, 2012 9:44 AM
To: pjackson@tlassoc.com
Subject: National Cemetery at Hwy 50 and Schram Road (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I received your letter yesterday for pre-application for a National Cemetery.

I need a contact person, address and phone number for Dept of Veterans

Affairs. I appreciate your help.

Ms. Bernie Taylor, Regulatory Assistant // US Army Corps of Engineers -
Wehrspann Field Office // 8901 South 154 St Ste 1 Omaha, NE 68138-3621 //
402-896-0896 / Fax 402-896-0997
Permit Application : <http://www.usace.army.mil/CECW/>

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE - WEHRSPANN
8901 SOUTH 154TH STREET, SUITE 1
OMAHA, NEBRASKA 68138-3621

<http://www.nwo.usace.army.mil/html/od-rne/nehome.html>

May 15, 2012

Mr. Edward Swift, VA Project Manager
Department of Veteran Affairs
810 Vermont Ave, NW
Washington, DC 20420

RE: 2012-00150 National Cemetery at 144th and Schram Road Sarpy County

Dear Mr. Swift:

We have reviewed the letter from TTL Associates, Inc. requesting comments on the selection of a site for the future proposed construction and operation of a national cemetery. The project is located in the vicinity of 41.13613°N, 96.13432°W, in Section 36, Township 14 North, Range 11 East, in Sarpy County, Nebraska.

The Corps of Engineers is responsible for administering Federal laws that regulate certain activities in waters of the United States. The authority applicable to this responsibility is Section 404 of the Clean Water Act (33 U.S.C. 1344), which prohibits the discharge of dredged or fill material into lakes, streams or wetlands without authorization in the form of a Department of the Army permit, and Section 10 of the Rivers and Harbors Act of 1899 which regulates all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States.

Based on the information provided, our preliminary review indicates that "Waters of the U.S." may be located within the project area and may potentially be impacted by the proposed project. The applicant is responsible for providing a delineation of all waters of the United States to be permanently or temporarily impacted by the proposed project. Our recommendation is to have a qualified individual conduct a wetland delineation and the associated documentation to determine, identify, and quantify the potential impacts to any waters of the U.S. associated with the project. Any wetland delineation should be conducted in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region, U.S. Army Corps of Engineers, August 2010.

Construction activities involving the discharge of dredged or fill material into waters of the United States may require a Section 404 permit. For a detailed review of permit requirements, a completed Department of the Army permit application with project plans should be sent to the Regulatory office address shown above. I have enclosed a permit application for your use.

The Nebraska State Historic Preservation Office should be contacted for information and recommendations on potential cultural resources in the project area.

DEPARTMENT OF THE ARMY
ENGINEERING CENTER
WATERWAYS DIVISION
FORT BELLEVILLE, ILLINOIS



The U.S. Fish and Wildlife Service should be contacted for information and recommendations on potential threatened and endangered species in the project area.

If you have any questions regarding this matter, please contact this office at the above address or call (402) 896-0896 and refer to file number 2012-00150.

Sincerely,

Dale Vagts
Project Manager

Enclosure
Copy Furnished:

TTL Associates, Inc. (Jackson)



We are pleased to furnish the enclosed material. If we can be of further service, please call one of the following numbers:

(402)896-0896/FAX (402)896-0997
(308)234-1403/FAX (308)234-3342

CLEAN WATER ACT (Section 404)
RIVER & HARBORS ACT (Section 10)

Send application information to:

US Army Corps of Engineers
Wehrspann Field Office
8901 South 154th Street
Omaha, NE 68138-3635

Web address: <http://www.usace.army.mil/CECW>

**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)**

**OMB APPROVAL NO. 0710-0003
EXPIRES: 31 August 2012**

Public reporting burden for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please **DO NOT RETURN** your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. <i>2012-00150</i>	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME: First - Middle - Last - Company - E-mail Address -	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) First - Middle - Last - Company - E-mail Address -
6. APPLICANT'S ADDRESS. Address - City - State - Zip - Country -	9. AGENT'S ADDRESS Address - City - State - Zip - Country -
7. APPLICANT'S PHONE NOS. W/AREA CODE. a. Residence b. Business c. Fax	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)	
13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable) Address City - State - Zip -
15. LOCATION OF PROJECT Latitude: °N Longitude: °W	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Municipality Range - <i>County - _____</i>	
17. DIRECTIONS TO THE SITE	

18. Nature of Activity (Description of project, include all features)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
Or
Liner Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

Address –
City – State – Zip –

26. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army Permit Application**

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the E-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant, if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project, e.g., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center.

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter it here.

Block 15. Location of Proposed Project. Enter the latitude and longitude of where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality that the site is located in.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide description of the proposed project location, such as lot numbers, tract numbers, or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wing walls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

Block 20. Reasons for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Types of Material Being Discharged and the Amount of Each Type in Cubic Yards. Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Description of Avoidance, Minimization, and Compensation. Provide a brief explanation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts.

Block 24. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, acres filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization, if possible.

Block 25. Names and Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Project Site. List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked Block 24.

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 26. Information about Approvals or Denials by Other Agencies. You may need the approval of other federal, state, or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 27. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.**

Paul Jackson

From: Brooke_Stansberry@fws.gov
Sent: Wednesday, January 18, 2012 3:16 PM
To: pjackson@tlassoc.com
Cc: michelle.koch@nebraska.gov; carey.grell@nebraska.gov
Subject: USFWS Concurrence letter for Proposed VA National Cemetery
Attachments: FWS NE 2012 153 Proposed VA National Cemetery.pdf

Paul,

This project was reviewed and a concurrence letter was placed in the mail today. We are also providing you with a digital copy for your files. If you have additional questions, please contact John Cochnar at 308-382-6468 ext 20 or John_Cochnar@fws.gov or myself.

Thanks!

Brooke

(See attached file: FWS NE 2012 153 Proposed VA National Cemetery.pdf)

Brooke Stansberry
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
203 West Second Street
Grand Island, Nebraska 68801
Phone: 308-382-6468, Extension 16
Fax: 308-384-8835
Brooke_Stansberry@fws.gov
<http://www.fws.gov/nebraskaes/>

"Like the resource it seeks to protect, wildlife conservation must be dynamic, changing as conditions change, seeking always to become more effective."

--Rachel Carson



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Nebraska Field Office
203 West Second Street
Grand Island, Nebraska 68801

January 18, 2012

FWS NE: 2012-153

Mr. Paul J. Jackson, Environmental Scientist
TTL Associates, Inc.
44265 Plymouth Oaks Blvd.
Plymouth, MI 48170-2585

RE: Department of Veterans Affairs, Proposed National Cemetery Located at Northeast Corner of South 144th Street (Highway 50) and Schram Road, Sarpy County

Dear Mr. Jackson:

This responds to your January 18, 2012, request to the U.S. Fish and Wildlife Service (Service) regarding the subject project. 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.

Based on the information you have provided, at this time, it appears unlikely that your project would have significant environmental impacts on the trust resources under our authority. Should changes to the proposed project occur or new information regarding fish and wildlife resources become available, further consultation with the Service should be initiated to assess any potential impacts.

All federally listed species under ESA are also State-listed under the Nebraska Nongame and Endangered Species Conservation Act. However, there are also State-listed species that are not federally listed. To determine if the proposed project may affect State-listed species, the Service recommends that the project proponent contact Michelle Koch, Nebraska Game and Parks Commission, 2200 N. 33rd Street, Lincoln, NE 68503-0370.

The Service appreciates the opportunity to review and comment on the subject project. Should you have questions regarding these comments, please contact Mr. John Cochnar within our office at John_Cochnar@fws.gov or (308)382-6468, extension 20.

Sincerely,

Michael D. George
Nebraska Field Supervisor

cc: NGPC; Lincoln, NE (Attn: Michelle Koch)
NGPC; Lincoln, NE (Attn: Carey Grell)