

CDBG GRANTEE INFORMATION SHEET

This information is provided to the Department of Economic Development to be used in updating mailing lists necessary for distributing CDBG Information. (**Grantee must list Federal Tax ID number and DUNS No.*)

CDBG Grant Number: 13-CIS-102 *Federal Tax ID number: 47-6006255
 Local Government Grantee: City of Lexington *DUNS No: 156284986
 City Village County of: _____
 Mailing Address: P. O. Box 70
Lexington, NE 68850
 Mayor/Chairperson: John Fagot Email: frae@hamilton.net
 Clerk: Pam Baruth Email: pbaruth@cityoflex.com

Local Government CDBG Contact

Complete this item even if the local contact will be the mayor/chairperson or clerk. List below the person from the local government that will serve as the day-to-day contact for the CDBG grant. A local contact person must be designated even if the local government has hired a for-profit or not-for-profit firm as the certified administrator for the grant.

Contact Person/Title: Joe Peppitsch
 Address (if different than above): same
 Phone Number: 308-324-2341 Fax Number: 308-324-4590
 Email Address: jpepp@cityoflex.com
 Check here if this person will be the Certified Administrator
Certified Date _____ Date Expires _____

Fair Housing Representative

Same as Local Contact
 Name: Deb Jensen Email: deb@dawsonareadevelopment.com Phone: 308-217-0005

Section 504 Coordinator

Employs 15 or more persons Yes No (if Yes, complete the information below)
 Same as Local Contact
 Name: Dennis Burnside Email: dburnside@cityoflex.com Phone: 308-324-2341

Certified Administrator

Provide the following information if the Certified Administrator is not the Local Contact.

Dawson Area Development
 Firm:
Deb Jensen
 Name of Grant Administrator
1502 Plum Creek Parkway, Suite 2B
 Address

<u>Lexington</u>	<u>NE</u>	<u>68850</u>
City	State	Postal Code
<u>308-217-0005</u>	<u>308-324-5505</u>	
Phone Number	Fax Number	
<u>deb@dawsonareadevelopment.com</u>		
Email		
<u>1995</u>	<u>2017</u>	
Certified Date	Date Expires	

Architect, Business, Engineer,
 Development Corporation, or Other

Firm: _____
 Primary Contact _____
 Address _____
 City _____ State _____ Postal Code _____
 Phone Number _____ Fax Number _____
 Email _____
 DUNS Number if Business is checked above _____

ADDITIONAL CONTACTS: If you want other persons to receive correspondence, please attach listing of names, titles and mailing addresses. This list includes the Architect, Engineer, Development Corporation, Planner, etc.

Step 4—Environmental Review Packet Completion

Once a recipient has determined the scope of a project through project aggregation and determined the appropriate level of review, the recipient must complete the appropriate Environmental Review Packet for every project. The Packet that is completed will be a portion of the ERR for a project. There are four separate Environmental Review Packets and one for each different level of review.

These include:

- Exempt Project Packet
- CENST Project Packet
- CEST Project Packet
- EA Project Packet

Exempt Project Packet—Projects that have been categorized under 24 CFR 58.34 must complete a packet that includes a Cover Sheet, a Determination of Level of Review Form, a Finding of Exempt Activity Form, and a 58.6 Checklist.

CENST Project Packet—Projects that have been categorized under 24 CFR 58.35(b) must complete a packet that includes a Cover Sheet, a Determination of Level of Review Form, a Finding of Categorical Exclusion Not Subject To Form, and a 58.6 Checklist.

CEST Project Packet—Projects that have been categorized under 24 CFR 58.35(a) must complete a packet that includes a Cover Sheet, a Determination of Level of Review Form, a Statutory Checklist Form, and a 58.6 Checklist. In addition, appropriate source documentation must be included in the Packet which provides maps, shows that the appropriate websites have been reviewed, and that the appropriate agencies have been consulted including letters to and from agencies.

EA Project Packet—Projects that cannot be categorized as Exempt, CENST, or CEST must complete a packet that includes a Cover Sheet, a Determination of Level of Review Form, and an Environmental Assessment Form. In addition, appropriate source documentation must be included in the Packet which provides maps, shows that the appropriate websites have been reviewed, and that the appropriate agencies have been consulted including letters to and from agencies.

See also Attachment 1 an outline of the environmental review record items needed for each Environmental Review Packet.

Step 5—Publication/Posting

Only those projects that require a CEST or EA review will be required to provide a NOI/RROF public notice which needs to be completed through either publication or posting. Projects that are Exempt, CENST, or those CEST projects that convert to Exempt do not require any publication or posting.

administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.

(7) Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under §58.47.

If a project cannot be classified under any of the above mentioned categories, then the project is not CENST and a higher level of environmental review will need to be completed.

The ERR for a CENST project must include the completion of the following items:

- Cover Sheet
- Determination of Level of Review
- Finding of Categorical Exclusion Not Subject To Form
- 58.6 Checklist

A Recipient does not have to publish a NOI/RROF, does not have to submit an RROF/Certification Form, and does not have to require a 15 day HUD Objection Period for CENST Projects.

CEST Projects

A project that has been classified under 24 CFR 58.35(a) is considered a Categorical Exclusion Subject to the requirements of 24 CFR 58.5 and requires the completion of a Statutory Checklist which evaluates 14 separate environmental laws.

A CEST project is a project that can be classified under one of the following categories:

(1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

(2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.

(3) Rehabilitation of buildings and improvements when the following conditions are met:

(i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland;

(ii) In the case of multifamily residential buildings:

(A) Unit density is not changed more than 20 percent;

(B) The project does not involve changes in land use from residential to non-residential; and

(C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.

(iii) In the case of non-residential structures, including commercial, industrial, and public buildings:

(A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and

(B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.

(4)(i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or

(ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.

(iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).

(5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

(6) Combinations of the above activities.

24 CFR 58.21 defines time periods in regard to determining when a publication or objection period begins. Time Periods are defined as:

“All time periods in this part shall be counted in calendar days. The first day of a time period begins at 12:01 a.m. local time on the day following the publication or the mailing and posting date of the notice which initiates the time period.”

24 CFR 58.43 further notes that the RE must consider the comments and make modifications, if appropriate, in response to the comments from the publication before completing the RROF/Certification Form.

Publication Requirements for CEST Projects

For CEST Projects the recipient is required to:

- Provide a public comment period (NOI-RROF publication),
- Complete a RROF/Certification Form with documentation, and
- Complete the HUD Objection Period.

The NOI-RROF cannot be published until after the RE Certifying Officer has signed the ERR. For CDBG projects, this means that the ERR must be prepared and signed by Certifying Officer before publication. Once the RE Certifying Officer signs the ERR it is proper to publish/post the NOI-RROF.

The NOI-RROF Notice is published or posted for a period of time defined at 24 CFR 58.45 [7 days when published or, if no publication, 10 days when mailing and posting].

A FONSI Notice is not required for CEST Projects. Only a NOI-RROF Notice is required. See Sample NOI-RROF Publication for the language that must be provided in the notice.

No earlier than the day after the public comment period has ended, the recipient completes the RROF/Certification Form and sends it to DED along with the appropriate documentation. This documentation includes an affidavit of publication (or posting) and a copy of the publication notice.

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An example of this process is noted on the table below. In this example, the Determination of Level of Review was signed by the RE on 2/11/2010, the Statutory Checklist was signed on 3/11/2010, and the 58.6 Checklist was signed 2/10/11. Since the complete record prior to publication was not finalized (signed by the RE) until March 11, 2010, the public comment period could not occur until March 12, 2010 at the earliest.

ENVIRONMENTAL REVIEW RECORD

GRANT NUMBER: __13-CIS-102__

PROJECT NAME: _CIS Project, Phase II, Year One

DETERMINATION OF LEVEL OF REVIEW

ERR GRANT# 13-CIS-102

Project Name: CIS Project, Phase II, Year One

Program Year: 2014-15

Project Location: Lexington (5th and 6th streets between Grant and Washington and Grant and Lincoln streets)

Project Description (*Attach additional descriptive information, as appropriate to the project, including narrative, maps, photographs, site plans, budgets and other information.*):

The **Water** portion of the project will include infrastructure improvements to water main capacity on the north side of 5th Street between Grant and Washington streets, and the north side of 6th Street between Grant and Washington streets. **Curb & gutter improvements** will improve storm water management, parking, and pedestrian/motorist safety and access on the north and south sides of 5th Street between Grant and Lincoln streets, and the north side of 6th Street between Grant and Washington streets and the south side of 6th Street between Grant and Lincoln streets. Street repair is needed in deteriorated areas due to lack of proper drainage, prior street repairs due to water line breaks and leaks, and the general age of the infrastructure.

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

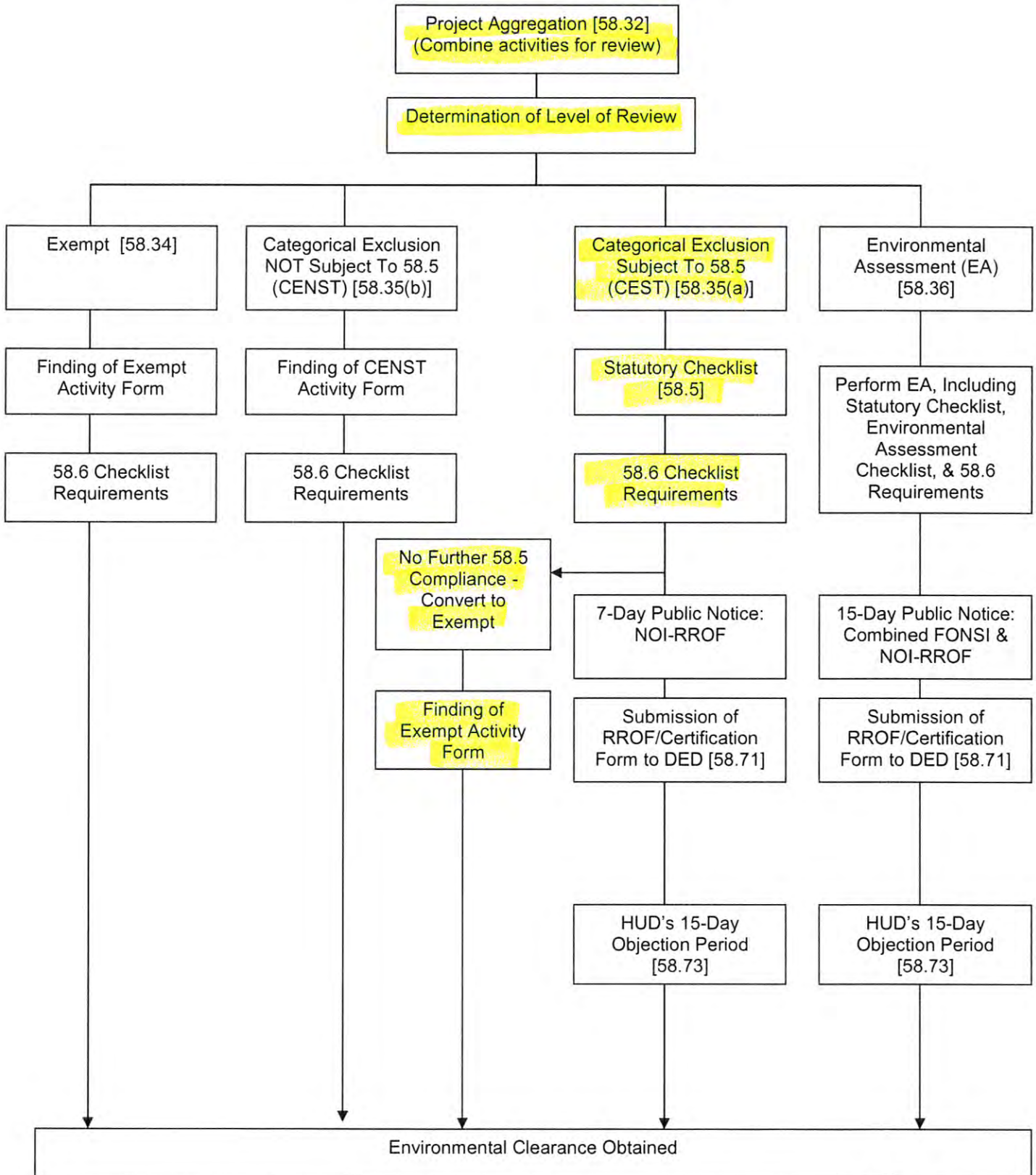
- Exempt** from NEPA review requirements per 24 CFR 58.34(a)(____)
- Categorically Excluded NOT Subject** to §58.5 authorities per 24 CFR 58.35(b)(____)
- Categorically Excluded SUBJECT** to §58.5 authorities per 24 CFR 58.35(a)(1__)
(A Statutory Checklist for the §58.5 authorities is attached.)
- An **Environmental Assessment** (EA) is required to be performed. (An Environmental Assessment performed in accordance with subpart E of 24 CFR Part 58 is attached.)
- An **Environmental Impact Statement** (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

<u>Deb Jensen</u> Preparer Name	_____	_____	Signature
<u>CDBG Administrator</u> Title	_____	_____	Date

<u>Joe Peplitsch</u> Responsible Entity Certifying Officer	_____	_____	Signature
<u>Lexington City Manager</u> Title	_____	_____	Date

ENVIRONMENTAL REVIEW PROCESS CDBG PROJECTS



STATUTORY CHECKLIST

Use this worksheet only for projects that are **CATEGORICALLY EXCLUDED SUBJECT TO (CEST) Related Federal Statutes and Authorities [24 CFR §58.35(a)]**

GRANTEE: City of Lexington GRANT# 13-CIS-102

A "Determination of Level of Review" form should be provided as a cover to this checklist.

This checklist is a component of the Environmental Review Record (ERR) [§58.38]. In addition the "Requirements listed at 24 CFR §58.6" form must also be completed. Supplement the ERR, as appropriate, with photographs, site plans, maps, narrative and other information that describe the project.

24 CFR §58.5 – NEPA-Related Federal Statutes and Authorities

DIRECTIONS – For each authority, check either Box "A" or "B" under "Status."

"A box" The project is in compliance, either because: (1) the nature of the project does not implicate the authority under consideration, or (2) supporting information documents that project compliance has been achieved. In either case, information must be provided as to WHY the authority is not implicated, or HOW compliance is met; OR

"B box" The project requires an additional compliance step or action, including, but not limited to, consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit.

IMPORTANT: Compliance documentation consists of verifiable source documents and/or relevant base data. Appropriate documentation must be provided for each law or authority. Documents may be incorporated by reference into the ERR provided that each source document is identified and available for inspection by interested parties. Proprietary material and studies that are not otherwise generally available for public review shall be included in the ERR. Refer to HUD guidance for more information.

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §58.5	STATUS		Compliance Documentation
	A	B	
1. Air Quality [Clean Air Act sections 176(c) & (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nature of the project does not implicate the authority under consideration. Region 7 maps attached. Project is not in the non-attainment area.
2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nature of the project does not implicate the authority under consideration. Replacement of existing utilities and curb/gutter results in no construction above ground. Project is not located within 2,500 feet of the end of the Lexington Airport runway.
3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No coastal zone management programs exist in the States of HUD Region VII, as established by Nat'l Oceanic & Atmospheric Administration, Office of Ocean and Coastal Resource Management. (http://www.ocrm.nos.noaa.gov/czm/czmsitelist.html)

4. Contamination and Toxic Substances [24 CFR 58.5(i)(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nature of the project does not implicate the authority under consideration, no new land will be used, only replacement of existing water, sewer and storm sewer.
5. Endangered Species [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nature of the project does not implicate the authority under consideration, utilities are existing, just replacement is being done. List of endangered species in NE is attached.
6. Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nature of the project does not implicate the authority under consideration, utilities are existing, just replacement is being done.
7. Explosive and Flammable Operations [24 CFR 51C]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Supporting information documents (a listing of underground storage tanks) show that project compliance has been achieved. No tanks are located in area where utilities will be replaced. List of tank location is attached.
8. Farmland Protection [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The nature of this project does not implicate the authority under consideration due to project location—utilities are existing and no new construction of utilities will occur.
9. Floodplain Management [24 CFR 55, Executive Order 11988]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project area is not in the flood plain. See attached map from FEMA.
10. Historic Preservation [36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Consultation with NE State Historical Society confirmed there will be no historic properties affected by this project. Letter of 7/24/2014 attached to this record.
11. Noise Control [24 CFR 51B]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The nature of this project does not implicate the authority under consideration due to project consisting of a replacement water services and curb/gutter improvements.
12. Water Quality (Sole Source Acquifers) [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The nature of this project does not implicate the authority under consideration due to it does not involve acquisition of land, change in land use, or new construction on 5 th and 6 th Street between Lincoln and Grant streets.
13. Wetland Protection [24 CFR 55, Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The nature of this project does not implicate the authority under consideration due to it does not involve acquisition of land, change in land use, new construction, or expansion of any building footprint on 5 th and 6 th Street between Lincoln and Grant streets. This project is located in the center of the City of Lexington.
14. Wild and Scenic Rivers [36 CFR 297]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The nature of this project does not implicate the authority under consideration due to project is not in any proximity to any Wild and Scenic Rivers in Nebraska.

DETERMINATION:

Box "A" has been checked for all authorities. The project can convert to Exempt, per §58.34(a)(12), since the project does not require any further compliance measure (e.g. consultation, mitigation, permit, or approval) with respect to any law or authority cited at §58.5. Complete Finding of Exempt Activity and document in writing per §58.34(a)(12) & (b); OR

Box "B" has been checked for one or more authorities. The project cannot convert to Exempt since one or more authorities require compliance, including but not limited to consultation with or approval from an oversight agency, performance of a study or analysis, completion of remediation or mitigation measure, or obtaining of license or permit. Complete pertinent compliance requirement(s), publish NOI/RROF, request release of funds (HUD-7015.15), and obtain HUD's Authority to Use Grant Funds (HUD-7015.16) per §§58.70 & 58.71 before committing funds: OR

The unusual circumstances of this project may result in a significant environmental impact. The project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

__Deb Jensen_____
Preparer Name

Preparer Signature

Date

__Joe Peplitsch_____
RE Certifying Officer Name

RE Certifying Officer Signature

Date

24 CFR §58.6 – OTHER REQUIREMENTS

Use this worksheet for projects that are EXEMPT, CATEGORICALLY EXCLUDED SUBJECT TO (CEST), and CATEGORICALLY EXCLUDED NOT SUBJECT TO (CENST) Related Federal Statutes and Authorities.

This 58.6 Form is a component of the Environmental Review Record (ERR) [§58.38]. Supplement the ERR, as appropriate, with photographs, site plans, maps, narrative and other information that describe the project.

1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3)]

Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?

No. Cite or attach Source Documentation: Verification with City of Lexington Building/Code Department that existing infrastructure to be replaced is not located within a Civil Airport Runway Clear zone.
[Project complies with 24 CFR 51.303(a)(3).]

Yes. Notice must be provided to the buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Improvement Act of 1990 (16 USC 3501)]

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation: No CBRA's in Nebraska according to
<http://www.fema.gov/nfip/cobra.shtm> [Proceed with project.]

Yes. Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT [Flood Disaster Protection Act of 1973, as amended (42 USC 4001-4128)]

Does the project involve acquisition, construction, or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area (SFHA)?

No. Cite or attach Source Documentation: FIRM map included with location of project noted. Property located is not in the Flood Zone of the City of Lexington, Nebraska [Proceed with project.]

Yes. Cite or attach Source Documentation: _____
Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

No. Federal assistance may not be used in the Special Flood Hazard Area.

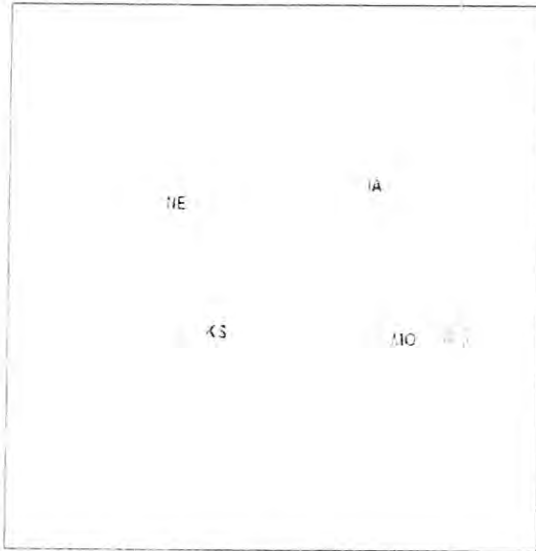
Deb Jensen _____
Preparer Name Preparer Signature Date

Joe Pepplitsch _____
RE Certifying Officer Name RE Certifying Officer Signature Date



Area Designations for 1997 Fine Particle (PM_{2.5}) Standards 1997 PM_{2.5} Standards — Region 7 State Designations

Boundary Designations for the 1997 PM_{2.5} Standard - EPA Region 7



Designations for 1997 PM_{2.5} NA, A, U, S

- Attainment
- Nonattainment
- Nonattainment (partial county)
- Unclassifiable

This table identifies all counties EPA has designated as nonattainment. In some cases EPA designated partial counties. These are identified by a P. If a county is not listed below, EPA has designated it as unclassifiable/attainment.

State	Area Name	Counties
Iowa	Entire state is attainment/unclassifiable	
Kansas	Entire state is attainment/unclassifiable	
Missouri	St. Louis, MO-L	Franklin Jefferson St. Charles St. Louis St. Louis City
Nebraska	Entire state is attainment/unclassifiable	

Region 7 Recommendations and EPA Responses

Last updated on Friday, April 9, 2010



Air and Radiation

You are here: [EPA Home](#) / [Air and Radiation](#) / National Ambient Air Quality Standards (NAAQS)

<http://www.epa.gov/air/criteria.html>
Last updated on Friday, December 14, 2012

National Ambient Air Quality Standards (NAAQS)

The [Clean Air Act](#), which was last amended in 1990, requires EPA to set [National Ambient Air Quality Standards](#) (40 CFR part 50) for pollutants considered harmful to public health and the environment. The Clean Air Act identifies two types of national ambient air quality standards. **Primary standards** provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. **Secondary standards** provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

EPA has set National Ambient Air Quality Standards for six principal pollutants, which are called "criteria" pollutants. They are listed below. Units of measure for the standards are parts per million (ppm) by volume, parts per billion (ppb) by volume, and micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$).

Pollutant [final rule cite]	Primary/ Secondary	Averaging Time	Level	Form
Carbon Monoxide [76 FR 54294, Aug 31, 2011]	primary	8-hour	9 ppm	Not to be exceeded more than once per year
		1-hour	35 ppm	
Lead [73 FR 66964, Nov 12, 2008]	primary and secondary	Rolling 3 month average	0.15 $\mu\text{g}/\text{m}^3$ (1)	Not to be exceeded
Nitrogen Dioxide [75 FR 6474, Feb 9, 2010] [61 FR 52852, Oct 8, 1996]	primary	1-hour	100 ppb	98th percentile, averaged over 3 years
	primary and secondary	Annual	53 ppb (2)	Annual Mean
Ozone [73 FR 16436, Mar 27, 2008]	primary and secondary	8-hour	0.075 ppm (3)	Annual fourth-highest daily maximum 8-hr concentration, averaged over 3 years
Particle Pollution Dec 14, 2012	primary	Annual	12 $\mu\text{g}/\text{m}^3$	annual mean, averaged over 3 years
	secondary	Annual	15 $\mu\text{g}/\text{m}^3$	annual mean, averaged over 3 years
	primary and secondary	24-hour	35 $\mu\text{g}/\text{m}^3$	98th percentile, averaged over 3 years
PM ₁₀	primary and secondary	24-hour	150 $\mu\text{g}/\text{m}^3$	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide [75 FR 35520, Jun 22, 2010] [38 FR 25678, Sept 14, 1973]	primary	1-hour	75 ppb (4)	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	secondary	3-hour	0.5 ppm	Not to be exceeded more than once per year

as of October 2011

(1) Final rule signed October 15, 2008. The 1978 lead standard (1.5 $\mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

(2) The official level of the annual NO₂ standard is 0.053 ppm, equal to 53 ppb, which is shown here for the purpose of clearer comparison to the 1-hour standard.

(3) Final rule signed March 12, 2008. The 1997 ozone standard (0.08 ppm, annual fourth-highest daily maximum 8-hour concentration, averaged over 3 years) and related implementation rules remain in place. In 1997, EPA revoked the 1-hour ozone standard (0.12 ppm, not to be exceeded more than once per year) in all areas, although some areas have continued

obligations under that standard ("anti-backsliding"). The 1-hour ozone standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above 0.12 ppm is less than or equal to 1.

(4) Final rule signed June 2, 2010. The 1971 annual and 24-hour SO₂ standards were revoked in that same rulemaking. However, these standards remain in effect until one year after an area is designated for the 2010 standard, except in areas designated nonattainment for the 1971 standards, where the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standard are approved.

See historical tables of NAAQS standards

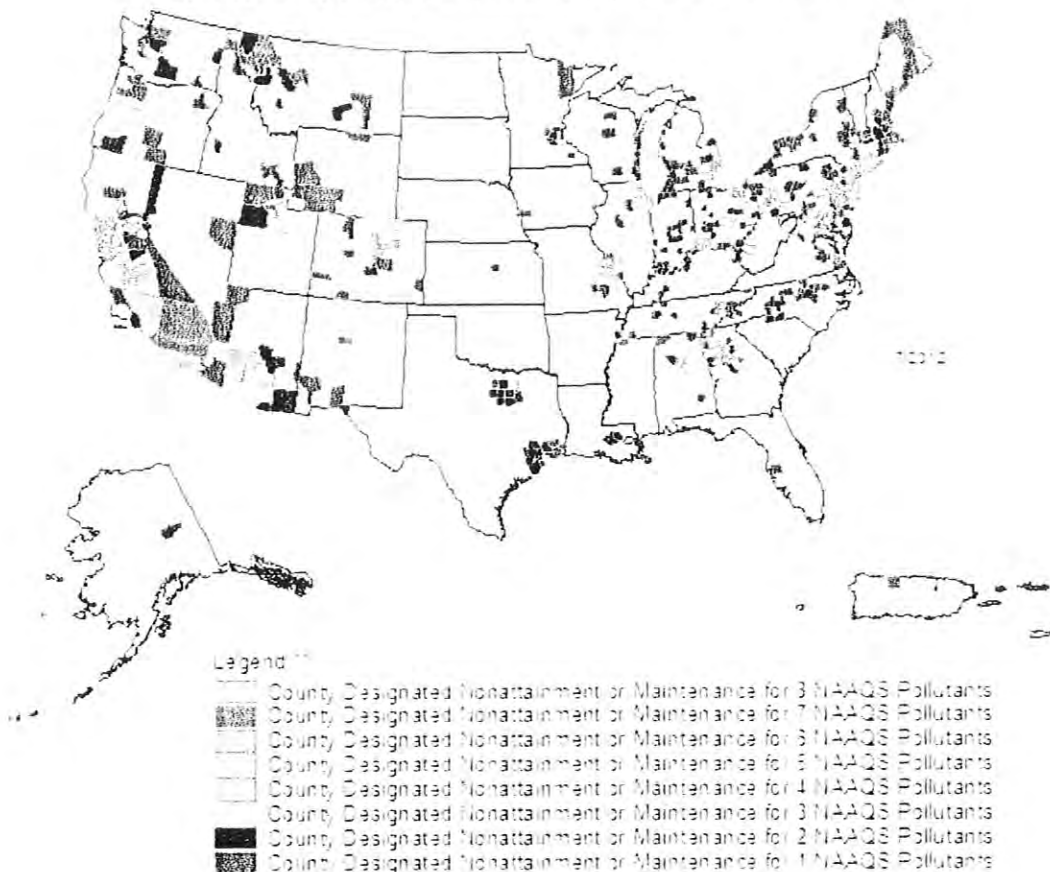
- [Carbon Monoxide](#)
- [Lead](#)
- [Nitrogen Dioxide](#)
- [Ozone](#)
- [Particle Pollution](#)
- [Sulfur Dioxide](#)

Menu of Control Measures for NAAQS Implementation

The Menu of Control Measures (MCM) provides state, local and tribal air agencies with the existing emission reduction measures as well as relevant information concerning the efficiency and cost effectiveness of the measures. State, local and tribal agencies will be able to use this information in developing emission reduction strategies, plans and programs to assure they attain and maintain the National Ambient Air Quality Standards (NAAQS). The MCM is a living document that can be updated with newly available or more current data as it becomes available.

- [Menu of Control Measures \(PDF\)](#) (66pp, 999k)
- [Menu of Control Measures \(Excel\)](#) (430k)

Counties Designated "Nonattainment" or "Maintenance" for Clean Air Act's National Ambient Air Quality Standards (NAAQS)



Guam, Piti and Tanguisson Counties are designated nonattainment for the SO₂ NAAQS.
 The National Ambient Air Quality Standards (NAAQS) are health standards for Carbon Monoxide, Lead, 1973 and 2003, Nitrogen Dioxide, 8-hour Ozone, 1997 and 2003, Particulate Matter (PM-10 and PM-2.5, 1997 and 2006), and Sulfur Dioxide.
 *Included in the counts are counties designated for NAAQS and revised NAAQS pollutants. 1-hour Ozone is excluded. Partial counties (those with part of the county designated nonattainment and part attainment) are shown as full counties on the map.



U.S. Fish & Wildlife Service

Environmental Conservation Online System

Conserving the Nature of America

Enter Search Term(s):

Search

- [ECOS](#)>
- [Species Reports](#)>
- [Listings and Occurrences for each State](#)>
- Listings and occurrences for Nebraska

Listings and occurrences for Nebraska

Notes:

- This report shows the listed species associated in some way with this state.
- This list does not include experimental populations and similarity of appearance listings.
- This list includes non-nesting sea turtles and whales in State/Territory coastal waters.
- This list includes species or populations under the sole jurisdiction of the National Marine Fisheries Service.
- Click on the highlighted scientific names below to view a Species Profile for each listing.

Summary of Animals listings

Animal species listed in this state and that occur in this state (8 species)

<u>Status</u>	<u>Species</u>
E	Beetle, American burying Entire (<i>Nicrophorus americanus</i>)
E	Crane, whooping except where EXPN (<i>Grus americana</i>)
T	Plover, piping except Great Lakes watershed (<i>Charadrius melodus</i>)

<u>Status</u>	<u>Species</u>
E	Shiner, Topeka Entire (<i>Notropis topeka (=tristis)</i>)
E	Sturgeon, pallid Entire (<i>Scaphirhynchus albus</i>)
E	Tern, least interior pop. (<i>Sterna antillarum</i>)
E	Tiger beetle, Salt Creek Entire (<i>Cicindela nevadica lincolniiana</i>)
E	Wolf, gray U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, KS, KY, LA, MA, MD, ME, MO, MS, NC, NE, NH, NJ, NV, NY, OK, PA, RI, SC, TN, VA, VT and WV; those portions of AZ, NM, and TX not included in an experimental population; and portions of IA, IN, IL, ND, OH, OR, SD, UT, and WA. Mexico. (<i>Canis lupus</i>)
Animal species listed in this state that do not occur in this state (4 species)	

<u>Status</u>	<u>Species</u>
E	Higgins eye (pearlymussel) Entire (<i>Lampsilis higginsii</i>)
E	Mapleleaf, winged Entire; except where listed as experimental populations (<i>Quadrula fragosa</i>)
E	Spectaclecase (mussel) (<i>Cumberlandia monodonta</i>)
E	Vireo, black-capped Entire (<i>Vireo atricapilla</i>)
Animal listed species occurring in this state that are not listed in this state (3 species)	

<u>Status</u>	<u>Species</u>
E	Curlew, Eskimo Entire (<i>Numenius borealis</i>)
E	Ferret, black-footed entire population, except where EXPN (<i>Mustela nigripes</i>)
E	Mussel, scaleshell (<i>Leptodea leptodon</i>)

Summary of Plant listings

Plant species listed in this state and that occur in this state (4 species)

<u>Status</u>	<u>Species</u>
T	Butterfly plant, Colorado (<i>Gaura neomexicana var. coloradensis</i>)
T	Ladies'-tresses, Ute (<i>Spiranthes diluvialis</i>)
T	Orchid, western prairie fringed (<i>Platanthera praeclara</i>)
E	Penstemon, blowout (<i>Penstemon haydenii</i>)

Plant species listed in this state that do not occur in this state (1 species)

<u>Status</u>	<u>Species</u>
---------------	----------------

Status

Species

T Orchid, eastern prairie fringed (*Platanthera leucophaea*)

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UST (UNDERGROUND STORAGE TANKS)

FACILITY ID	FACILITY NAME	FACILITY ADDRESS	FACILITY CITY	FACILITY COUNTY	Tanks	Tanks	Tanks	Tanks
					Currently In Use	Temp Out Use	Perm Out Use	Closed In Place
5583	US WEST BUSINESS RESOURCES INC	112 E 7TH ST	LEXINGTON	DAWSON	0	0	0	0
1504	LEXINGTON MILL/ELEVATOR CO	E FRONT ST	LEXINGTON	DAWSON	0	0	0	0
6469	AL & TERRYS APCO	HWY 283 & I-80 2809 SOUTH BRIDGE ST	LEXINGTON	DAWSON	0	0	0	0
1108	LEXINGTON STATION	1 MI E-2 3/4 MI N OF LEX	LEXINGTON	DAWSON	0	0	0	0
10858	HOME FACILITY	RR 2 BOX 87A	LEXINGTON	DAWSON	0	0	0	0
7170	UNION PACIFIC RAILROAD	LEXINGTON RIGHT OF WAY	LEXINGTON	DAWSON	0	0	0	0
796	NEBRASKA DEPT OF ROADS	W 8TH ST	LEXINGTON	DAWSON	0	0	0	0
809	NEBRASKA DEPT OF ROADS	JCT S HWYS 283 & 80	LEXINGTON	DAWSON	0	0	0	0
1127	JONES-LEXO OIL CO	119 W 4TH ST	LEXINGTON	DAWSON	0	0	0	0
423	PUMP & PANTRY #21	210 E 6TH ST	LEXINGTON	DAWSON	4	0	0	0
8182	UNKNOWN	S HWY 283	LEXINGTON	DAWSON	0	0	0	0
4633	A-1 BODY SHOP	401 E PACIFIC	LEXINGTON	DAWSON	0	0	0	3
2243	ANDERSON FEED LOT INC	RR 2 BOX 79	LEXINGTON	DAWSON	0	0	0	0
6972	ANTHONY MALOLY	RR 1 BOX 161	LEXINGTON	DAWSON	0	0	3	0
4850	B & D Oil Inc	701 N WASHINGTON	LEXINGTON	DAWSON	3	0	0	0
2245	BICENTENNIAL CATTLE CO	STAR RT BOX 6A	LEXINGTON	DAWSON	0	0	0	0
5906	BIEHL CATTLE CO	43801 Rd 756	LEXINGTON	DAWSON	4	0	0	0
10941	BIEHL CATTLE CO	N 1/2 OF SE 1/4 31-10-20	LEXINGTON	DAWSON	0	0	0	0
2255	CITY OF LEXINGTON	111 E MAPLE ST	LEXINGTON	DAWSON	0	0	0	0
8341	CITY OF LEXINGTON	WASTE WATER TREATMENT PLANT RR	LEXINGTON	DAWSON	0	0	0	0
2052	CORNLAND BEEF INDUSTRY	E HWY 30	LEXINGTON	DAWSON	0	0	0	0
2250	DAN KOPF	RR 1 BOX 36	LEXINGTON	DAWSON	0	0	0	0
2247	DAWSON COUNTY FEED PRODUCTS	W HWY 30	LEXINGTON	DAWSON	0	0	0	0
2246	DAWSON COUNTY PPD	300 S WASHINGTON BLVD	LEXINGTON	DAWSON	0	0	0	0
7361	DAWSON COUNTY WEED CTRL AUTH	HWY 30 & GRANT ST	LEXINGTON	DAWSON	0	0	0	0
2249	DELBERT CARROLL	RR 2 BOX 90	LEXINGTON	DAWSON	0	0	0	0
4052	DONALD BURKS	RR 2 (SW 4 NW 4 5-8-21)	LEXINGTON	GOSPER	0	0	0	0
3304	FAIRBANKS INTERNATIONAL INC	E HWY 30	LEXINGTON	DAWSON	0	0	0	0
2248	FARM & HOME SERVICE INC	W HWY 30	LEXINGTON	DAWSON	0	0	0	0
4181	GIVENS INC	SW 1/4 OF 9-10-21	LEXINGTON	DAWSON	0	0	0	0
2244	I-80 TEXACO	S HWY 283	LEXINGTON	DAWSON	0	0	0	0
4849	J & S OIL INC	I-80	LEXINGTON	DAWSON	0	0	0	0
2254	JAMES LUNDGREN	RR 1 BOX 29A	LEXINGTON	DAWSON	0	0	0	0
2327	JEFFERY BROS	RR 2 BOX 128	LEXINGTON	GOSPER	0	0	0	0
2251	KNAPPLE INC	STAR RT BOX 15	LEXINGTON	DAWSON	0	0	1	0
2252	LARSEN LAND & LIVESTOCK	RR 2 BOX 72	LEXINGTON	DAWSON	0	0	0	0
5510	LEON JOHNSON	1911 DAVISTA LN	LEXINGTON	DAWSON	0	0	1	0
7815	LEXINGTON AIRPORT	S OF MAIN TERMINAL	LEXINGTON	DAWSON	0	0	0	0
12290	Lexington Airport Authority	1501 N Airport Rd	Lexington	Dawson	0	0	0	0
2253	LEXINGTON ALFALFA DEHY INC	7 MI W LEXINGTON HWY 30	LEXINGTON	DAWSON	0	0	0	0
7583	LEXINGTON COOP FERTILIZER PLANT	E HWY 30	LEXINGTON	DAWSON	0	0	0	0
6	LEXINGTON COOP OIL - DARR BRANCH	HWY 30	LEXINGTON	DAWSON	0	0	0	0
11432	LEXINGTON HIGH SCHOOL	705 WEST 13TH	LEXINGTON	DAWSON	0	0	0	0

11870	LEXINGTON MIDDLE SCHOOL	1100 N WASHINGTON	LEXINGTON	DAWSON	0	0	1	0
7593	LEXINGTON SHOP	710 W 8TH ST	LEXINGTON	DAWSON	0	0	0	0
11056	LOIS PETERMAN	RR 1 BOX 167	LEXINGTON	DAWSON	0	0	1	0
3947	LOOSE OIL CO	W IVAN ST	LEXINGTON	DAWSON	0	0	0	0
4223	MAC'S SHORT STOP	1114 N ADAMS	LEXINGTON	DAWSON	2	0	0	6
2687	MELVIN STREIT	RR 1 BOX 147	LEXINGTON	DAWSON	0	0	0	0
2089	MINUTEMAN & ASSOC	507 W PACIFIC	LEXINGTON	DAWSON	0	0	0	0
1621	NEBRASKA BY PRODUCTS INC	E PACIFIC	LEXINGTON	DAWSON	0	0	2	0
1242	NEBRASKALAND TIRE	511 PLUM CREEK PKWY	LEXINGTON	DAWSON	0	0	0	0
1241	NEBRASKALAND TIRE/TRUCK CTR	3004 Plum Creek Parkway	LEXINGTON	DAWSON	2	0	0	0
11816	OLD STANDARD STATION	TAFT ST & HWY 30	LEXINGTON	DAWSON	0	0	0	0
9422	ORTHMAN MANUFACTURING	NE 1/4 28-20-21	LEXINGTON	DAWSON	0	0	0	0
5864	PLATTE VALLEY AUTO MART	4TH & JEFFERSON	LEXINGTON	DAWSON	2	0	0	0
5500	PLATTE VALLEY PRODUCTS INC	HWY 30-DARR-W OF LEXINGTON	LEXINGTON	DAWSON	0	0	0	0
5501	PLATTE VALLEY PRODUCTS INC	E HWY 30	LEXINGTON	DAWSON	0	0	0	0
12293	Plum Creek Care Center	1505 N Adams	Lexington	Dawson	0	0	0	0
6369	RENT ALL RENTALS	201 W 4TH ST	LEXINGTON	DAWSON	0	0	0	0
1716	REYNOLDS INC	5 1/2M S OF LEXINGTON RR 2	LEXINGTON	DAWSON	0	0	0	0
1717	REYNOLDS INC	1/2M S OF CANADY STM PLT	LEXINGTON	GOSPER	0	0	0	0
11144	SHOTKOSKI HAY CO INC	101 PROSPECT RD	LEXINGTON	DAWSON	0	0	0	0
3315	ST ANN'S HIGH SCHOOL	10TH & TAFT	LEXINGTON	DAWSON	0	0	1	0
6213	STONEYS	2705 S PLUM CREEK PKWY	LEXINGTON	DAWSON	4	0	0	0
6129	STUART CATTLE CO	RR 2 BOX 247	LEXINGTON	DAWSON	0	0	0	0
7750	TOM'S MIDWEST LIQUOR	710 S WASHINGTON BLVD	LEXINGTON	DAWSON	0	0	2	0
2258	TRI-COUNTY AREA HOSPITAL DIST	13TH & ERIE ST	LEXINGTON	DAWSON	0	0	0	0
2259	WALKER ROOFING CO INC	906 W 8TH ST	LEXINGTON	DAWSON	0	0	0	0
11359	WESTERN ALFALFA	BART LANG TRUCKING WEST IVAN ST	LEXINGTON	DAWSON	0	0	2	0
12265	Wikard Station (former)	1612 N Adams	Lexington	Dawson	0	0	0	0
4861	WILSON FLYING SERVICE INC	MUNICIPAL AIRPORT	LEXINGTON	DAWSON	0	0	0	0
6320	Uncle Neal's #3	123 E PACIFIC ST	LEXINGTON	DAWSON	5	0	0	0
2257	Central Nebr Truss Inc	75496 Road 435	LEXINGTON	DAWSON	0	0	2	0
5026	JOHNSON N 1 HYDRO POWER PLANT	9 1/2 MI SW OF LEXINGTON	LEXINGTON	GOSPER	0	0	0	0
5029	JOHNSON N 2 HYDRO POWER PLANT	6 MI S OF LEXINGTON	LEXINGTON	GOSPER	0	0	0	0
3948	CONOCO TIME SAVER	3003 PLUM CREEK PKWY	LEXINGTON	DAWSON	0	0	0	0
5515	CONOCO TRAVEL PLAZA	2607 PLUM CREEK PKWY	LEXINGTON	DAWSON	3	0	0	0
3949	KWIK STOP #11	602 WEST PACIFIC	LEXINGTON	DAWSON	4	0	0	0
1622	Lexington Ampride	2700 S PLUM CREEK PKWY	LEXINGTON	DAWSON	5	0	0	0
8	Lexington Car Care	711 East Pacific	LEXINGTON	DAWSON	6	0	0	0
11196	CASEY'S GENERAL STORE #1747	902 NORTH ADAMS	LEXINGTON	DAWSON	2	0	0	0
11679	CASEY'S GENERAL STORE #2068	609 PLUM CREEK PKWY	LEXINGTON	DAWSON	2	0	0	0
	DAWSON COUNTY LAW ENFORCEMENT							
5203	CENTER	709 N GRANT	LEXINGTON	DAWSON	1	0	0	0
4184	M R K INC	42822 ROAD 753	LEXINGTON	DAWSON	3	0	0	0
11447	MARTIN COMPANY	811 NORTH WASHINGTON	LEXINGTON	DAWSON	0	0	0	0
6165	UNKNOWN	US HWY 283	LEXINGTON	DAWSON	0	0	5	0

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 updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM 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 FIRM for purposes of construction and/or floodplain management.

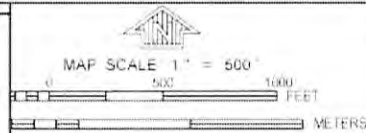
Coastal Base Flood Elevations shown on this map apply only landward of 0' 0" North American Vertical Datum of 1988 (NAVD88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations 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 for this jurisdiction.

The **projection** used in the preparation of this map was Nebraska State Plane Zone (FIPSZONE 2600). The **horizontal datum** was NAD83, GRS 1980 spheroid. Differences in datum, spheroid, projection or state plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

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 <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:




PANEL 0463C

FIRM
FLOOD INSURANCE RATE MAP
DAWSON COUNTY,
NEBRASKA
AND INCORPORATED AREAS

PANEL 463 OF 700

DATE: 05/03/2011 10:00:00 AM
PROJECT: 31047CD463C
DRAWN BY: J. J. JONES

Map is made by the Map Division of the Federal Emergency Management Agency. The map is for informational purposes only. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.

 MAP NUMBER
31047CD463C

EFFECTIVE DATE
MAY 3, 2011

Federal Emergency Management Agency

This is an official map of a portion of the National Flood Insurance Program. It was prepared by the Map Division of the Federal Emergency Management Agency. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.



July 24, 2014

Deb Jensen
Dawson Area Development
1501 Plum Creek Parkway, Suite 2B
Lexington, NE 68850

RE: 1407-120-01 LEXINGTON INFRASTRUCTURE IMPROVEMENTS (NS OF 5TH & 6TH BET GRANT & WASHINGTON)

Dear Ms. Jensen:

Thank you for submitting the referenced project proposal for our review and comment. Our comment 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 36 CFR Part 800.

Given the information provided, in our opinion there will be no historic properties affected by the project as proposed. Should any changes in the project be made or in the type of funding or assistance provided through federal or state agencies, please notify this office of the changes before further project planning continues.

Please retain this correspondence and your documented finding in order to show compliance with Section 106 of the National Historic Preservation Act, as amended. If you have any questions, please contact Jill Dolberg at 402-471-4773.

Sincerely,

A handwritten signature in black ink that reads "Jill Dolberg". The signature is written in a cursive, flowing style.

Jill E. Dolberg
Review and Compliance Coordinator
Nebraska State Historical Society

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



July 17, 2014

Jill E. Dolberg, Review and Compliance Coordinator
NE State Historic Preservation Office
NE State Historical Society
P. O. Box 82554
Lincoln, NE 68501-2554

COPY

RE: Comment on CDBG Project for Lexington (13-CIS-102)

Dear Jill:

The City of Lexington, is requesting your review of a project that is being proposed as part of the community development project for the City. Dawson Area Development is preparing an Environmental Review for this project. DAD is requesting a response from your agency regarding the potential impact this project may have, or an acknowledgement from your agency that no detrimental impacts would occur. Responses will be accepted until August 19, 2014.

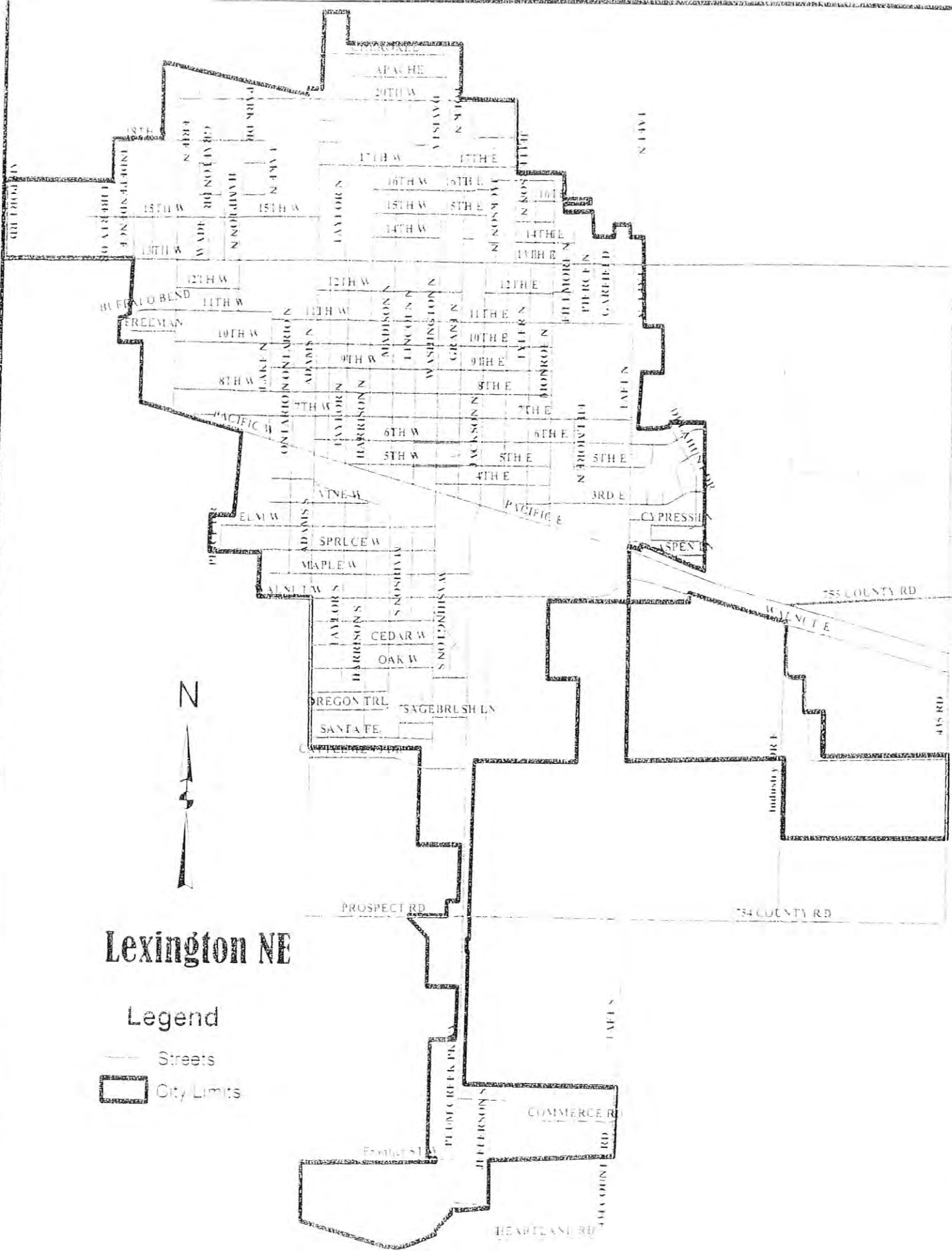
The City of Lexington has been awarded for a CDBG grant in the amount of \$250,000 for the Comprehensive Investment and Stabilization project. This project will include infrastructure improvements to water main capacity on the north side of 5th Street between Grant and Washington streets, and the north side of 6th Street between Grant and Washington streets. Curb & gutter improvements will improve storm water management, parking, and pedestrian/motorist safety and access on the north and south sides of 5th Street between Grant and Lincoln streets, and the north side of 6th Street between Grant and Washington streets and the south side of 6th Street between Grant and Lincoln streets. Street repair is needed in deteriorated areas due to lack of proper drainage, prior street repairs due to water line breaks and leaks, and the general age of the infrastructure. This is a replacement project—not a new utility project.

I have enclosed a map of Lexington indicating the area of the proposed improvements, and where that area lies in regard to the rest of the city. We are requesting a review of the project. Should you have any questions regarding the project, please feel free to contact me at 308-217-0005 or email at deb@dawsonareadevelopment.com

Sincerely,



A handwritten signature in cursive script that reads 'Deb Jensen'.

Deb Jensen
Community Development Coordinator



Lexington NE

Legend

-  Streets
-  City Limits



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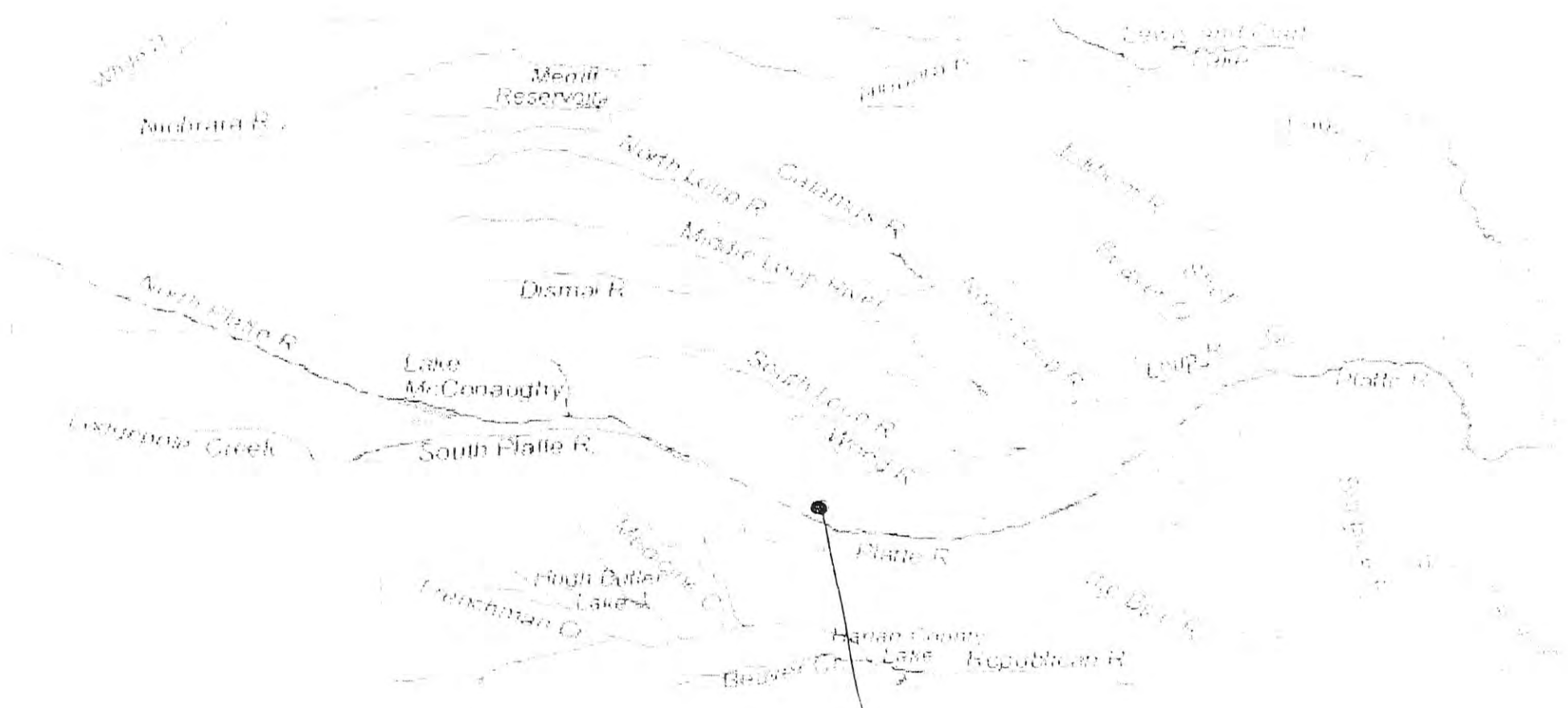
[KID'S SITE](#)

1000-1000

Nebraska has approximately 79,056 miles of river, of which 197 miles are designated as wild & scenic—approximately 0.10ths of 1% of the state's river miles.

- Missouri River
- Nebraska River

Choose a State:
Missouri River N



Lexington
 Water, curb + gutter replacement on
 5th & 6th Sts from
 Lincoln to Grant Streets.

24 CFR §58.6 – OTHER REQUIREMENTS

Use this worksheet for projects that are EXEMPT, CATEGORICALLY EXCLUDED SUBJECT TO (CEST), and CATEGORICALLY EXCLUDED NOT SUBJECT TO (CENST) Related Federal Statutes and Authorities.

This 58.6 Form is a component of the Environmental Review Record (ERR) [§58.38]. Supplement the ERR, as appropriate, with photographs, site plans, maps, narrative and other information that describe the project.

1. AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES NOTIFICATION [24 CFR Part 51.303(a)(3)]

Does the project involve the sale or acquisition of property located within a Civil Airport Runway Clear Zone or a Military Airfield Clear Zone?

No. Cite or attach Source Documentation: Verification with City of Lexington Building/Code Department that existing infrastructure to be replaced is not located within a Civil Airport Runway Clear zone.
[Project complies with 24 CFR 51.303(a)(3).]

Yes. Notice must be provided to the buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in the ERR.

2. COASTAL BARRIERS RESOURCES ACT [Coastal Barrier Improvement Act of 1990 (16 USC 3501)]

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation: No CBRA's in Nebraska according to
http://www.fema.gov/nfip/cobra.shtm [Proceed with project.]

Yes. Federal assistance may not be used in such an area.

3. FLOOD DISASTER PROTECTION ACT [Flood Disaster Protection Act of 1973, as amended (42 USC 4001-4128)]

Does the project involve acquisition, construction, or rehabilitation of structures located in a FEMA-identified Special Flood Hazard Area (SFHA)?

No. Cite or attach Source Documentation: FIRM map included with location of project noted. Property located is not in the Flood Zone of the City of Lexington, Nebraska [Proceed with project.]

Yes. Cite or attach Source Documentation: _____
Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

Yes. Flood Insurance under the National Flood Insurance Program must be obtained. If HUD assistance is provided as a grant, insurance must be maintained for the economic life of the project and in the amount of the total project cost (or up to the maximum allowable coverage, whichever is less). If HUD assistance is provided as a loan, insurance must be maintained for the term of the loan and in the amount of the loan (or up to the maximum allowable coverage, whichever is less). A copy of the flood insurance policy declaration must be kept on file in the ERR.

No. Federal assistance may not be used in the Special Flood Hazard Area.

Deb Jensen _____
Preparer Name Preparer Signature Date

Joe Peplitsch _____
RE Certifying Officer Name RE Certifying Officer Signature Date

FINDING OF EXEMPT ACTIVITY [24 CFR 58.34(a)]

GRANTEE: City of Lexington

GRANT # 13-CIS-102

DIRECTIONS: Certain CDBG, HOME, and NAHTF funded activities, which do not have a physical impact, require a grantee, as defined at 24 CFR Part 58.2, to determine whether the proposed activity is Exempt from the National Environmental Policy Act of 1969 (NEPA), as amended, and not subject to the environmentally-related statutory authorities listed at 24 CFR Parts 58.5.

This form provides a grantee with a format to make this determination. A description of the activity (or project) should be attached to this form and the documentation maintained in the Environmental Review Record (24 CFR Part 58.38). Note that the 24 CFR 58.6 requirements will also need to be completed. Consult HUD's environmental regulation (24 CFR Part 58) as necessary.

Check a single box that best describes or fits the proposed activity. Submit the completed form to your Responsible Entity Certifying Officer for review.

- Environmental and other studies, resource identification and the development of plans and strategies [58.34(a)(1)].
- Information and financial services [58.34(a)(2)].
- Administrative and management activities [58.34(a)(3)].
- Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs [58.34(a)(4)].
- Inspections and testing of properties for hazards or defects [58.34(a)(5)].
- Purchase of insurance [58.34(a)(6)].
- Purchase of tools [58.34(a)(7)].
- Engineering or design costs [58.34(a)(8)].
- Technical assistance and training [58.34(a)(9)].
- Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration [58.34(a)(10)].
- Payment of principal or interest on loans made or obligations guaranteed by HUD [58.34(a)(11)].
- Any of the categorical exclusions listed in §58.35(a) provided there are no circumstances which require compliance with any other Federal laws and authorities cited in §58.5 [58.34(a)(12)].

PROJECT DESCRIPTION: Provide a description of all project activities including those activities funded by sources other than CDBG, HOME, or NAHTF: (Attach additional pages as necessary.)

The **Water** portion of the project will include infrastructure improvements to water main capacity on the north side of 5th Street between Grant and Washington streets, and the north side of 6th Street between Grant and Washington streets. **Curb & gutter improvements** will improve storm water management, parking, and pedestrian/motorist safety and access on the north and south sides of 5th Street between Grant and Lincoln streets, and the north side of 6th Street between Grant and Washington streets and the south side of 6th Street between Grant and Lincoln streets. Street repair is needed in deteriorated areas due to lack of proper drainage, prior street repairs due to water line breaks and leaks, and the general age of the infrastructure.

In accordance with the provisions of 24 CFR 58.34(a), the grantee has determined that the subject CDBG, HOME, or NAHTF-assisted activity (or program) explained above is Exempt from the National Environmental Policy Act of 1969 (NEPA), as amended.

DETERMINATION BY (PREPARER)

Deb Jensen	SIGNATURE	DATE
------------	-----------	------

RESPONSIBLE ENTITY CERTIFYING OFFICER

Joe Peplitsch	SIGNATURE	DATE
---------------	-----------	------

AUTHORIZATION TO REQUEST GRANT FUNDS

CDBG CDBG-R HOME NAHTF NSP

This is to Certify that Joe Pepplichtsch and
(TYPED NAME [Mayor/Board Chairperson])
Pamela Baruth are authorized to
(TYPED NAME [Clerk/Executive Director])
request Grant Funds for Grant Number(s)** 13-CIS-102 ;
and that the signatures appearing below are the true signatures of
the aforementioned individuals.

SIGNATURES OF AUTHORIZED OFFICIALS

Signature

Joe Pepplichtsch
Typed Name

City Manager
Title

jpepp@cityoflex.com
Email

August 12, 2014
Date

Signature

Pamela Baruth
Typed Name

City Clerk
Title

pbaruth@cityoflex.com
Email

August 12, 2014
Date

Nebraska Department of Economic Development

City of Lexington

13-CIS-102

CDBG Grantee

CDBG No.

P. O. Box 70

Address

Lexington

NE 68850

City

State Zip Code

Joe Peplitsch

308-324-2341

Contact Person

Telephone

FINANCIAL MANAGEMENT CERTIFICATION

Check "Yes" or "No" in the column to the left to indicate if your financial management system complies with these statements:

1. Does the financial management system provide for:

YES NO

- (a) proper recording and accounting for all CDBG receipts?
(b) control over and accountability for all funds, property, and other assets?
(c) records that identify the source and use of funds?
(d) the expenditure of CDBG funds within five days of the receipt of funds?
(e) the application of program income to the CDBG fund?
(f) the disbursing of program income prior to making additional drawdowns?
(g) accounting records that are supported by source documents
(h) a comparison of actual expenditures with amounts budgeted for activities within the grant?
(i) audits to be conducted in accordance with OMB Circular A-128
(k) audits of non-profit subrecipients to be conducted in accordance with OMB Circular A-133?

2. Are the individuals who are responsible for the financial management of the CDBG:

YES NO

- a) familiar with OMB Circular A-87 (2 CFR, Part 225) OMB Circular A-102 (2 CFR, Part 85) Treasury Circular 1075 (31 CFR Part 205)?
(b) aware that failure to comply these regulations will result in audit findings and the repayment of ineligible costs to the Department of Economic Development?

I certify that the above responses are an accurate indication of the status of the financial management system which will be used for the Community Development Block Grant Funds.

SIGNATURE OF MAYOR/CHAIRMAN

John Fagot

TYPED NAME

August 12, 2014

DATE

CITY OF LEXINGTON, NEBRASKA

PROCUREMENT PROCEDURES AND CODE OF CONDUCT

The City of Lexington, Nebraska will in all cases of procurement for professional services construction services and materials needed for Community Development Block Grant (CDBG) Programs adhere to Code of Federal Regulation 24 C.F.R. Section 85.36 or current state statutes; in all cases the stricter shall apply. The following procedures summarize said laws and regulations.

- A. Procurement shall be made by one of the following methods:
- 1) **Small Purchase Procedures [24 C.F.R. Section 85.36 (d)(1)] – This method will generally be used to obtain small quantities of supplies.** Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the simplified acquisition threshold fixed at 41 U.S.C. 403(11) (currently set at \$100,000). If small purchase procedures are used, price or rate quotations shall be obtained from an adequate number of qualified sources.
 - 2) **Competitive Sealed Bids [24 C.F.R. Section 85.36 (d)(2)] - This method will generally be used to obtain contractors for construction projects and for large quantities of goods or materials.** Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.
 - 3) **Competitive Proposals [24 C.F.R. Section 85.36 (d)(3)] - This method will generally be used to obtain professional services.** This method has two sub-parts—the Request for Proposal and the Request for Qualifications. Request for Proposals – The Request for Proposals (RFP) must clearly and accurately state the technical requirements for the goods and services required; The grantee must publicize the RFP, and to the maximum extent practicable, honor reasonable requests by parties to have an opportunity to compete; Proposals must be solicited from an adequate number of qualified sources, consistent with the nature and requirements of the procurement; The grantee must conduct a technical evaluation of the submitted proposals to identify the responsible offerors; As necessary, the grantee must conduct negotiations with those offerors who are deemed responsive and responsible and fall within a competitive price range, based on the grantee's evaluation of the bidders' pricing and technical proposals. After negotiations, these bidders may be given the opportunity to submit a "best and final" offer; and The grantee must award the contract to the most responsive and responsible offeror after price and other factors are considered through scoring the proposals or "best and final" offers according to predetermined evaluation criteria. The successful proposal/offeror must clearly be the most advantageous source of the goods and services. Request for Qualifications - Grantees and subgrantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

- 4) **Non-Competitive Proposals/Sole Source [24 C.F.R. Section 85.36 (d)(4)] – This method will only be used after approval from the Department of Economic Development.** When requesting permission to use this method, the grantee will have to show that another method of procurement was not feasible because: the item or service was only available from a single source; a public emergency or condition requiring urgency existed which did not permit the use of competitive procurement; or competition was determined to be inadequate after solicitation of proposals from a number of sources.
- B. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- C. The City of Lexington shall maintain records sufficient to detail the significant history of a procurement. These records shall include at a minimum: rationale for the method of procurement; selection of contract type; contractor selection or rejection; and the basis for the cost or price.
- D. The following contract provisions or conditions shall be included in all procurement contracts and subcontracts:

General Administrative Provisions

- Effective date of the contract.
- Names and addresses of the firm and the grantee.
- Citation of the authority of the grantee under which the contract is entered into and the source of the funds.
- Conditions and terms under which the contract may be terminated by either party and remedies for violation/breach of contract.
- Procedures for amending or revising the contract.

Scope of Services

- Detailed description of the extent and character of the work to be performed.
- Time for performance and completion of contract services, including project milestones, if any.
- Specification of materials or other services to be provided (i.e. maps, reports, etc.)

Method of Compensation

- Provisions for compensation for services including fee and or payment schedules and specification of maximum amount payable under the contract.

Federal Standard Provisions

- Compliance with Executive Order 11246, as amended (Required for service contractors only if the contractor has 50 or more employees and the contract is for more than \$50,000)
- Title VI of the Civil Rights Act of 1964 clause
- Section 109 of the Housing and Community Development Act of 1974 clause
- Section 3 compliance clause (Required only if the contract exceeds \$100,000)
- Access to Records/Maintenance of Records clause
- When required, all construction contracts exceeding \$2,000 shall include provisions for compliance with the Davis-Bacon Act (DBA), the Contract Work Hours and Safety Standards Act (CWHSSA), The Copeland Act (Anti-Kickback Act) clause, and the Fair Labor Standards Act (FLSA) clause.

This Code of Conduct shall govern the performance of the elected or appointed officials or member of any board or commission employees or agents of the City of Lexington, Nebraska engaged in the award and administration of contracts supported by Federal funds under Community Development Block Grant.

- I. The provisions and requirements of the *Conflicts of Interest, at subpart (d)* of the Nebraska Political Accountability and Disclosure Act [such subpart (d) encompassing Sections 49-1493 through 49-14,104 of the Nebraska Revised Statutes], are incorporated in this Code of Conduct by this reference. The provisions and requirements of 24 C.F.R. Section 85.36(b)(3) are also incorporated in this Code of Conduct by this reference. The requirements of these Nebraska state statutes and federal regulations will be adhered to, and in the event of a conflict in the requirements of any of such state and federal requirements, the stricter of any conflicting provisions will be adhered to.
- II. No employee, officer or agent of the municipality shall participate in the selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when an employee or agent; any member of his or her immediate family; his or her partner; or an organization, which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.
- III. The municipal employees, officers or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subcontracts.
- IV. Violations of this Code of Conduct will invoke penalties and sanctions consistent with applicable Federal and State laws.

Signed:

Joe Pepplichtsch, City Manager
City of Lexington, Nebraska

Date: August 12, 2014



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EXCESSIVE FORCE CERTIFICATION

On this 12th day of August, 20 14, the

Mayor John Fagot of City of Lexington
(Title and Name of Chief Elected Official) (Name of Local Government Unit)

does hereby certify to the Nebraska Department of Economic Development that the

City of Lexington has adopted and will enforce a policy to prohibit the
(Name of Local Government Unit)

use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in nonviolent civil rights demonstration.

(Chief Elected Official Signature)

THE CITY OF LEXINGTON POLICIES AND PROCEDURES ON AFFIRMATIVELY FURTHERING FAIR HOUSING

STATEMENT OF POLICY

In accordance with the regulations of the State of Nebraska's Community Development Block Grant Program and Federal Fair Housing laws and in furthering The City of Lexington's commitment to nondiscrimination and equal opportunity in housing, the City of Lexington hereby establishes policies and procedures to affirmatively further fair housing within the City. These policies and procedures are intended to further the objectives of Title VIII of the Civil Rights Act of 1968 and Executive Order 11063.

Execution shall be through the following procedure:

Co-host a Dawson County area Housing Fair session that highlights housing and presents the 2014 Housing Study to all interested parties during 2014.

This policy shall have full force and become effective on August 12, 2014.

Joe Peplitsch, Lexington City Manager

NEBRASKA CDBG GRANTEE IMPLEMENTATION SCHEDULE
PROJECT ACTIVITIES AND MILESTONES

Name of Grantee: City of Lexington CDBG # 13-CIS-102 Program Representative Brian Gaskill

Date of Project Completion (contracted): June 23, 2015 Extended Completion Date: _____ Page 1 of 2

Project Activity / Milestones	CDBG / LOCAL AMOUNT BUDGETED	1 ST QTR. J, A, S 2014	2 ND QTR. O, N, D 2014	3 RD QTR. J,F,M 2015	4 TH QTR. A, M, J 2015	5 TH QTR.	6 TH QTR.	7 TH QTR.	8 TH QTR.
Activity: CDBG 0230	\$194,260	\$10,000	\$10,000	\$74,260	\$100,000	\$	\$	\$	\$
Other	\$246,370	\$12,100	\$12,100	\$89,854	\$132,316	\$	\$	\$	\$
a)Streets		X	X X X	X X X	X X X				
b)Curb,Gutter, and Storm sewer		X	X X X	X X X	X X X				
Activity: CDBG 0300	\$35,740	\$3,000	\$3,000	\$14,870	\$14,870	\$	\$	\$	\$
Other	\$35,730	\$3,000	\$3,000	\$14,870	\$14,860	\$	\$	\$	\$
a)Water/Sewer		X	X X X	X X X	X X X				
Activity: CDBG 0181	\$20,000	\$6,000	\$2,000	\$6,000	\$6,000	\$	\$	\$	\$
Other	\$0	\$0	\$0	\$0	\$0	\$	\$	\$	\$
a)General Admin		X X X	X X X	X X X	X X X				