This document is scheduled to be published in the
Federal Register on 09/05/2025 and available online at
https://federalregister.gov/d/2025-17083, and on https://govinfo.gov

DEP [4910-RY]

Federal Highway Administration

Notice of Final Federal Agency Actions on Transportation Project in Nebraska

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of Limitation on Claims for Judicial Review.

SUMMARY: This notice announces actions taken by the FHWA, on behalf of the Nebraska Department of Transportation, that are final. The action(s) relate to the US-81 York-Columbus Project, located in York, Polk and Butler counties in Nebraska. Those actions grant licenses, permits, and approvals for the project. The project will expand the existing two-lane highway to a four-lane expressway, changing to three lanes in urban areas and returning to four lanes through the rural segments. The project starts near the north U.S. Highway 34 (US-34)/US-81 intersection at the end of the existing four-lane York bypass. The project extends north to just north of the Nebraska Highway 64 (N-64) and US-81 intersection, where it connects to the existing four-lane roadway. The FHWA's National Environmental Policy Act (NEPA) Finding of No Significant Impact (FONSI) provides details on the Selected Alternative for the proposed improvements.

DATES: A claim seeking judicial review of the Federal agency actions on the listed highway project will be barred unless the claim is filed on or before [insert date 150 days after date of publication in the Federal Register]. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT:

For FHWA: James Simerl, Acting Division Administrator, Federal Highway Administration, 100 Centennial Mall North, Room 220, Lincoln, NE, 68508, (402) 742-8460, james.simerl@dot.gov.

For NDOT: Kyle Keller, Project Development Engineer, 1500 Nebraska Parkway, Lincoln, NE, 68502-4759, (402) 479-4795, kyle.keller@nebraska.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions within the meaning of 23 U.S.C. 139(l)(1) by issuing a NEPA FONSI for the US-81York-Columbus Project, in York, Polk and Butler counties in Nebraska. The action(s) by FHWA and the laws under which such actions were taken are described in the FONSI and the associated agency records. That information is available by contacting FHWA at the addresses provided above.

The purpose of the project is to fulfill legislative intent to continue the development of the expressway system identified in the 1988 Nebraska Highway Needs Study; improve regional connectivity for vehicles, including commercial vehicles, in east-central Nebraska by providing important expressway connections with US-34, Nebraska Highway 66 (N-66), Nebraska Highway 92 (N-92), Nebraska Highway 69 (N-69) and N-64, while maintaining convenient highway access for communities in the area; and improve the condition of the existing infrastructure. The project is needed because there is a gap in the US-81 Expressway from the Kansas-Nebraska border to Norfolk, a lack of connectivity in east-central Nebraska, and existing infrastructure deficiencies. A FONSI for the project was signed on May 9, 2025.

Information about the FONSI and associated records are available from FHWA at the addresses provided above and can be found at: https://dot.nebraska.gov/projects/environment/environmental-documents/, or obtained by contacting the individuals listed above. This notice applies to all Federal agency decisions related to the FONSI as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4347]; Federal-Aid Highway Act [23 U.S.C. 109].

2. *Air*: Clean Air Act, as amended [42 U.S.C. 7401-7671(q)].
3. *Land:* Section 6(f) of the Land and Water Conservation Fund Act of 1965 [16 U.S.C. 4601]; Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303].
4. *Wildlife*: Endangered Species Act [16 U.S.C. 1531-1544 and 1536]. Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]. Migratory Bird Treaty Act [16 U.S.C. 703-712]. Bald and Golden Eagle Protection Act [16 U.S.C. 668-668c]. Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801 et seq.].
5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) et seq.]; Archaeological and Historic Preservation Act [16 U.S.C. 469-469(c)];
6. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.]; Farmland Protection Policy Act [7 U.S.C. 4201-4209].
7. *Wetlands and Water Resources*: Clean Water Act (Section 319, Section 401, Section 402, Section 404) [33 U.S.C. 1251-1377]. Safe Drinking Water Act [42 U.S.C. 300(f) et seq.].
8. *Executive Orders:* Executive Order 11990 Protection of Wetlands; Executive Order 11988 Floodplain Management; Executive Order 11593 Protection and Enhancement of Cultural Resources; Executive Order 13007 Indian Sacred Sites; Executive Order 13287 Preserve America; Executive Order 13175 Consultation and Coordination with Indian Tribal Governments; Executive Order 11514 Protection and Enhancement of Environmental Quality; Executive Order 13112 Invasive Species; Executive Order 13045 Protection of Children From Environmental Health Risks and Safety Risks.

Authority: 23 U.S.C. 139(l)(1).

_____

James Simerl
FHWA Acting Division Administrator
Lincoln, NE
[FR Doc. 2025-17083 Filed: 9/4/2025 8:45 am; Publication Date: 9/5/2025]