

**National Park Service**

Homestead National Monument of America

Beatrice, Nebraska



**Boundary Adjustment Study  
General Management Plan Amendment  
Environmental Assessment**

October 2014



View of the Freeman School from Parcel C

Cover Image: Heritage Center

Back Cover Image: Palmer-Epard Cabin

*For more information, please contact:*

Homestead National Monument of America  
8523 W. State Highway 4  
Beatrice NE 68310  
(402) 223-3514  
[nps.gov/home](http://nps.gov/home)

# Executive Summary

The National Park Service (NPS) has prepared an Environmental Assessment for the Boundary Adjustment Study/General Management Plan Amendment at Homestead National Monument of America (Monument) in Beatrice, Nebraska. This document has been prepared in accordance with the National Environmental Policy Act and the National Historic Preservation Act.

This document examines the feasibility and appropriateness of such a boundary adjustment, identifying lands to be included within the expansion boundary and the potential environmental impacts associated with the alternatives. No boundary adjustment outlined in this study can be accomplished without authorization by the United States Congress. The NPS would acquire land only by donation or from willing sellers for parcels that meet the NPS *Management Policies 2006* boundary adjustment criteria.

## Parcels Considered

South of the current park boundary are two parcels totaling 140 acres owned and managed by the Friends of Homestead, a nonprofit friends organization. South and east of the current park boundary and to the east of the Friends property is Parcel B, which is comprised of two parcels totaling 160 acres. Parcel C is a square parcel 40 acres in size located at the corner of Highway 4 and SW 89th Road. The National Park Service owns an easement on nearly six acres of the northern portion of the parcel along Highway 4 that are already included within the park boundary. This study will evaluate the potential addition of the remaining 34.07 acres of the property to the boundary of the Monument. Parcel D is a 20 acre parcel in size and is bordered on three sides by the Friends property and on the fourth side by West Hoyt Road.

## Boundary Adjustment Criteria and Findings

For an area to be appropriate for addition to an existing park, it must (1) protect significant resources or enhance opportunities for public enjoyment, (2) address operational and management issues of the existing park site, or (3) protect critical park resources. The added lands must also be feasible to

administer, and there must be no other adequate alternatives for management and resource protection. Parcels A, B, and C were found to meet the criteria for boundary adjustment.

## Alternatives and General Management Plan Amendment

**Alternative A: No Action:** Under the No-Action alternative, the Monument boundaries would remain as they are, and no property would be added, either by donation or through the use of appropriated funds.

### Alternative B: Expand the Boundary to Include Parcels That Meet Boundary Adjustment

**Criteria:** Alternative B would add 334.07 acres to the Monument from Parcels A, B, and C. Enactment of this alternative would have beneficial impacts on cultural resources, natural resources, visitor experience, and park management. Addition to the boundary of the park would allow NPS authority to acquire the property by donation or in fee from a willing seller, or to purchase an interest in the property such as an easement.

If the boundary of the Monument is expanded, newly-acquired parcels would be zoned should they be added to the boundary of and subsequently acquired by Homestead National Monument of America. In the new Extended Visitor Use Zone, new lands would be managed primarily for protection of resources in the adjacent Historic Zone and secondarily to accommodate compatible visitor uses and park management activities in an open-space setting.

## Preferred Alternative

Alternative B is the preferred alternative because it would protect fundamental park resources against current and future adverse impacts.

## Environmental Assessment

The environmental assessment analyzes the potential environmental consequences, or impacts, that would occur as a result of the implementation of both alternatives. Topics analyzed are adjacent land uses, park management, cultural

landscape features, and natural resources (Bur oak forest). The document will be used for consultation purposes in compliance with Section 106 of the NHPA. Because this document is intended to comply with Section 106, the analysis of cultural resources also contains an assessment of effect.

In general, implementation of the Alternative B would result in long-term beneficial impacts to the resources analyzed. In general, the no-action alternative could cause long-term, adverse impacts to resources analyzed.

**Section 106 Assessment of Effect:** Boundary expansion under Alternative B would result in no adverse effect to historic properties. An adverse effect could occur if the Monument was unable to address the adjacent land uses that are impacting the cultural landscape feature.

**Environmentally Preferable Alternative:** The environmentally preferable alternative is the alternative “...that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. Alternative B is the environmentally preferable alternative because it would ensure short and long-term protection to the biological and physical environment, preserving cultural and natural resources.



View of the Heritage Center from Parcel B

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View of Parcel B from Parcel A

# Part One: Background, Purpose & Need, and Impact Topics

## Introduction

The National Park Service (NPS) is preparing an Environmental Assessment (EA) for the Boundary Adjustment Study (BA)/General Management Plan Amendment (GMP-A) at Homestead National Monument of America (Monument). This EA examines the feasibility and appropriateness of such a boundary expansion, identifying lands to be included within the expansion boundary and the potential environmental impacts associated with the alternatives. No boundary adjustment outlined in this study can be accomplished without authorization by the United States Congress. The NPS would acquire land only by donation or from willing sellers for parcels that meet the NPS *Management Policies 2006* boundary adjustment criteria.

In making decisions about NPS-administered resources, the NPS is guided by the requirements of the 1916 Organic Act (16 USC 1). The authority for conservation and management of the NPS is stated in the Organic Act as the agency's purpose: "...to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations."

The Organic Act establishes the management responsibilities of the NPS. While Congress has given the NPS management discretion to allow certain impacts within parks, that discretion is limited by the statutory requirements that park resources and values be left unimpaired, unless a particular law directly and specifically provides otherwise. The impairment provision of the Organic Act establishes the primary responsibility of the NPS, which is to ensure that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them. NPS Management Policies 2006 provides the NPS interpretation of the Organic Act and the definition of impairment.

This EA has been prepared in compliance with:

- The National Environmental Policy Act (NEPA) of 1969 (42 USC 4321); which requires an environmental analysis for major federal actions having the potential to impact the quality of the environment.
- Council on Environmental Quality (CEQ) Regulations at 40 CFR 1500-1508, which implement the requirements of NEPA;
- Regulations of the Department of Interior (DOI) for implementation of NEPA at 43 CFR 46;
- Director's Order (DO) #12 and Handbook: Conservation Planning, Environmental Impact Analysis, and Decision Making; and
- National Historic Preservation Act (NHPA) of 1966, as amended (16 USC 470).

There are three primary purposes of an EA:

- To help determine whether the impact of a proposed action or alternative could be significant;
- To aid in compliance with NEPA when no Environmental Impact Statement (EIS) is necessary by evaluating a proposal that will have no significant impact, but that may have measurable adverse impacts; and
- To facilitate preparation of an EIS, if one is necessary.

Key goals of NEPA are to help federal agency officials make well-informed decisions about agency actions and to provide a role for the general public in the decision-making process. This study and documentation mechanisms associated with NEPA seek to provide decision-makers with sound knowledge of the comparative environmental consequences of the proposed actions. NEPA studies, and the documents recording their results, such as this EA, focus on providing input to the particular decisions faced by the relevant officials.

## Background of the Monument

Homestead National Monument of America near Beatrice, Nebraska, was created on March 19, 1936 to commemorate and interpret the impacts of the Homestead Act on the United States and the world. This law declared that anyone who was a citizen, or intended to become one, could claim 160 acres (one quarter square mile) of surveyed government land. Claimants had to build a home and live on the land for five years. During that five year time period, claimants were required to improve the land agriculturally. After five years, the Government would transfer ownership of the land to the successful claimant.

This 211-acre Monument commemorates the Homestead Act with displays examining the social, economic, and environmental impacts of this legislation. The park land encompasses 100 acres of restored tall-grass prairie and includes a T-shaped quarter section of tallgrass prairie and mixed hardwood forest that comprised the entire original claim of Daniel Freeman. On January 1, 1863, Freeman was one of the first homesteaders to file under the provisions of the Homestead Act of May 20, 1862. The primary Monument facilities include the Homestead Heritage Center, the Homestead Education Center, the Palmer-Epard Cabin, and the Freeman School, a one-room schoolhouse built in 1872 and located a quarter mile west of the Education Center.

The Monument is unique as it is the only site in the United States dedicated to the story of the Homestead Act in its broadest context. Through exhibits, films, educational programs, and special events, the staff educates the public about the importance of the Homestead Act to our nation's history. Museum exhibits and events examine a variety of topics related to homesteading, including agriculture, industrialization, American Indians, immigration, and prairie ecology. The park maintains excellent relationships with other organizations and facilities dealing with specific aspects of homesteading history, such as the University of Nebraska-Lincoln and the Nebraska State Historical Society. The Monument also has authority to create the Homestead Educational Parkway in the vicinity.

The Friends of Homestead own and manage 140 acre parcel directly to the south of the Monument. The Friends' stated goal is to donate the parcel to the National Park Service in the future.

## Monument Purpose

The purpose of Homestead National Monument of America is to commemorate the Homestead Act and its influence upon the country and the world; protect and care for the 160 acre original homestead's resources and Freeman School; and erect and manage suitable buildings to be used as a museum for the preservation, education, and interpretation of homesteading literature, history and culture.

## Monument Significance

The following significance statements were identified for the Monument:

- The Monument encompasses a 160-acre homestead claim established on the first day of the Homestead Act's implementation, which is among the first of the millions of homesteads established under the Act between 1863 and 1986.
- The Freeman School was one of the longest continually operating one-room schoolhouse during the Homestead Era in Nebraska. It was in use from 1872 to 1969. The school structure is the original building located on its original site adjacent to Daniel Freeman's homestead.
- The Homestead Act, signed by President Abraham Lincoln in 1862 and implemented from 1863 to 1986, brought profound changes to the land and to the nation: it had major influence on federal land and immigration policy; it defined and hastened settlement and community development; it empowered women, African Americans and immigrants; it increased opportunities for social, political and economic mobility for all homesteaders, it promoted cultivation of millions of acres of land which resulted in destruction of native ecosystems across the country; it hastened agricultural and technological development; and in some regions it contributed to the dispossession of American Indian tribes.
- Homestead National Monument of America contains the second oldest tallgrass prairie restoration in the nation, and the Freeman School site contains 1 acre of tallgrass prairie that has never been plowed, which is among the last 4% of the native prairie remaining in the country.



- The Freeman Homestead contains ideal conditions for a homestead: woodlands, water supply, good soil, adequate rainfall, convenient access to a road, and proximity to an established town.
- Homestead National Monument of America is the world's primary repository of objects associated with homesteading. The museum housed within the Heritage Center preserves important resources related to the homestead story and was mandated by the park's enabling legislation.
- Museum collections, including family and oral histories. Homestead National Monument of America preserves the material and social culture of the Homesteading Era, such as farming implements, photographs, letters, literature, tools, clothes, and artifacts used and valued by homesteaders.
- Lowland bur oak forest. This was part of the original landscape of the homestead, and is now a rare ecosystem in the region.
- 'Grain Grower's Highway' freight road remnants. The physical trace of this road from Beatrice to the Freeman Homestead and other points west still exists, along with culverts, bridge footings, and related structures. This road also connected the Freeman Homestead to the Freeman School.
- Archeological sites related to habitation. There are several archeological sites within the park, from before and during the Homestead Era. Together, they show the changes in occupation and land use on the parcel from American Indian tribes to the homesteaders.
- Palmer-Epard Cabin. This structure was built by a homesteader in Gage County in 1867, with the same materials and tools that Freeman would have utilized.
- Sense of time and place. Sights and sounds within the park provide a sense of time and place to the visitor. Views to and from the original 160 acre homestead help visitors experience the beauty and solitude that homesteaders encountered when they first approached their land. Looking outside the boundary, visitors see farming, industry, and housing development that resulted from homesteading. Relatively clear night skies and the natural sounds of bird songs, rushing water, blowing winds, and waving prairie allow visitors to experience what the homesteaders would have experienced.

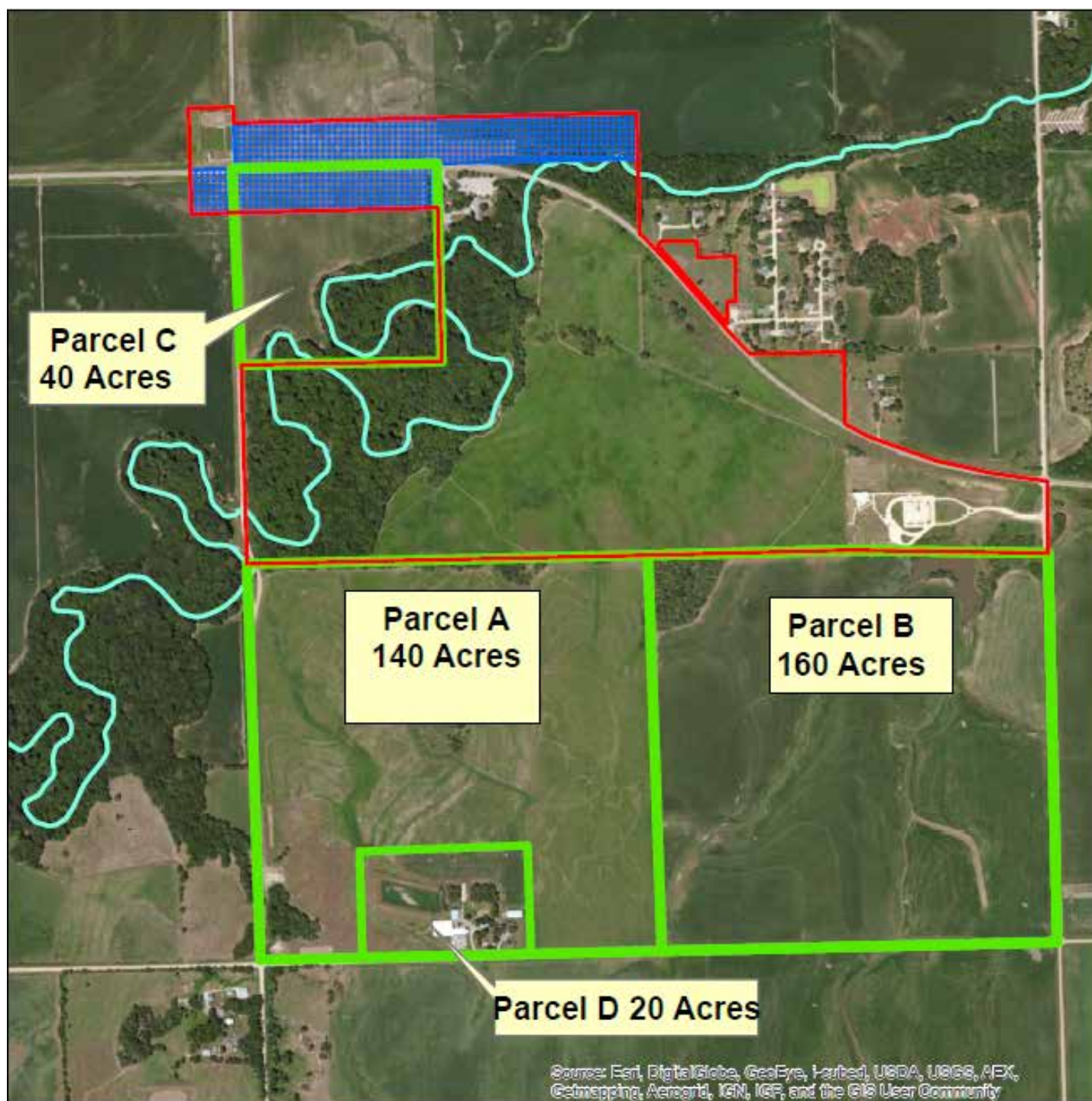
## Monument Fundamental Resources and Values

Fundamental resources and values are those features, systems, processes, experiences, stories, scenes, sounds, smells, or other attributes determined to warrant primary consideration during planning and management processes because they are essential to achieving the purpose of the park and maintaining its significance. Fundamental resources and values are closely related to a park's legislative purpose and are more specific than significance statements.

Fundamental resources and values help focus planning and management efforts on what is truly significant about the park. One of the most important responsibilities of NPS managers is to ensure the conservation and public enjoyment of those qualities that are essential (fundamental) to achieving the purpose of the park and maintaining its significance. If fundamental resources and values are allowed to deteriorate, the park purpose and/or significance could be jeopardized.

The following fundamental resources and values have been identified for the Monument:

- The original 160 acre homestead plot, including related landscape features such as Cub Creek, bur oak forest and woodlands, restored prairie, Freeman-planted Osage orange hedge-row, Freeman grave site, and wildlife found on site. This area is defined by the 'imaginary line' of Freeman's application for a homestead.
- The Freeman School Grounds. This includes the school, related outbuildings, play equipment, the native prairie remnant, and the connection between the school and the Freeman Homestead.



0 0.075 0.15 0.3 0.45 Miles



Homestead NM Boundary



Proposed Boundary Expansions



Scenic Easement



Cub Creek

Figure 1: Existing Homestead National Monument of America Boundary and Parcels Evaluated for Inclusion

## Purpose of and Need for Action

**Purpose:** The purpose of this project is to complete a Boundary Adjustment Study(BA)/General Management Plan Amendment (GMP-A)/Environmental Assessment (EA) to study extending the boundary of the Monument to include certain parcels by evaluating NPS boundary criteria. The parcels to be included in this study include Parcel A (Southwest 140 acres), Parcel B (Southeast 160 acres), Parcel C (West 40 acres) and Parcel D (South 20 acres).

No boundary adjustment outlined in this study can be accomplished without authorization by the United States Congress. The implementation of actions related to a boundary adjustment will depend on future funding and NPS priorities. Actions after addition to the boundary could include fee acquisition, easements, or agreements with property owners. The approval of a boundary adjustment does not guarantee that funding and staffing needed to implement the proposed actions will be forthcoming. Full implementation could be many years into the future.

**Need:** This boundary study is needed for the following reasons:

- The Friends of Homestead has 140 acres of land (Parcel A) that it wishes to donate to the Monument. The NPS cannot accept this land unless it has been found appropriate for addition to the Monument and formally included in a revised boundary.
- Landowners of three other properties, Parcels B, C, and D, have expressed interest in their lands being included in this study. This includes a total of 220 acres.
- Cultural Resources (Osage orange hedgerow) and Natural Resources (Bur oak forest) that border the existing Monument boundary would receive improved, long-term protection through the boundary expansion.
- Future park management will require additional lands as it relates to sewer needs, service facilities, and to ensure long term safety of government employees and equipment.
- The Monument's cultural landscape report identifies the Freight road remnants as a significant resource and recommends this former

highway be used to link the Freeman School to the Monument, making it continuous. Addition of freight road remnants would allow implementation of the cultural landscape report treatment recommendations.

Driving this study to address the above needs at this time are: interest from Congressman Jeff Fortenberry (R-NE-1), who has three times introduced legislation calling for a boundary modification at the Monument; that the Friends of Homestead are holding 140 acres of land and wish to donate this land to the NPS; that the owners of three other properties have given written permission to have their property included in this study; and that these parcels have long been sought for inclusion within the boundary, delaying this action could risk this opportunity.

## Impact Topics

### Preliminary Impact Topics

NPS Policy requires that all proposed projects be screened for potential impacts against a list of natural and cultural resource categories.

### Identification of Impact Topics Considered in This Plan

NEPA requires that agencies take into account the impact on the human environment from the actions that they purpose, by determining which resources might be most affected. Impact topics are resources of concern that could be affected adversely by implementing any of the proposed alternatives. Impact topics were identified during the completion of the Environmental Screening Form. The following impact topics are analyzed in this document:

- **Adjacent Land Uses and Viewshed:** The project area is located entirely within Gage County, Nebraska. Lands uses adjacent to the existing park are active agricultural or conservation. The values of land uses and the immediate viewshed would be affected by the addition of these lands. As a result, this impact topic is retained for further analysis.
- **Park Management:** Expansion of the Monument acreage by a large amount (over 158%) would change Monument management and operations, and there would be management implications related to park expansion. As a result,

this impact topic is retained for further analysis.

- **Cultural Landscape Features:** Section 106 of the National Historic Preservation Act of 1966, as amended, provides the framework for Federal review and protection of cultural resources, and ensures that they are considered during Federal project planning and execution. The Osage orange hedgerow is a contributing feature of the National Register of Historic Places district at the Monument. Inaction could have adverse impacts on the living cultural feature. Another contributing feature of the National Register district is the original T-shaped 160 acre site, which is demarcated by the hedgerow on the south boundary. Any addition of land along those boundaries could impact that feature. As a result, this impact topic is retained for further analysis.
- **Natural Resources (Bur Oak Forest):** The lowland Bur oak forest is now a rare ecosystem in the state of Nebraska, and the Bur oak forest also borders Parcels A and C. Inaction could have adverse impacts on the rare ecosystem which is fundamental resource of the Monument. As a result, this impact topic is retained for further analysis.

### Impact Topics Not Retained for Further Analysis

The impact topics described in this section are not fully evaluated in this environmental assessment because they were not identified during scoping as being of concern, nor is it anticipated that implementation of the preferred alternative would substantially affect these resources. Additional information regarding their dismissal is provided for each potential impact topic.

- **Water Quality:** Boundary expansion would have beneficial impacts on water quality, not adverse impacts as agricultural stormwater runoff would be better controlled or ultimately eliminated. Therefore, this impact topic has been dismissed from further consideration.
- **Wildlife, including Threatened and Endangered Species:** Few state-listed and federally listed species are known to exist in the vicinity. The proposed preferred alternative would have no impact because listed species are either not present or unknown/unlikely to occur within the project area. Consultation with U.S. Fish and Wildlife and Nebraska Game and Parks

Commission concluded no adverse impacts to special status species would result. Therefore, this topic has been dismissed from further consideration.

- **Visitor Experience:** Boundary expansion would increase the area of the Monument, and therefore the number of acres open for visitation. Additional visitor opportunities would only have a beneficial impact on the visitor experience. As a result, this impact topic is not retained for further analysis.
- **Prime Agriculture:** According to the Natural Resources Conservation Service, U.S. Department of Agriculture, there are prime agricultural soils in the proposed boundary expansion. However, no action would be taken to permanently convert the prime agricultural lands from production. Therefore, this impact topic has been dismissed from further consideration.
- **Archeological Resources:** Archeological resources on the parcels in this study are unknown; however, the action of adding parcels to the Monument boundary will not cause any ground disturbance. Any subsequent actions on added land would be subject to compliance that would evaluate the impacts to archeological resources.

## Part Two: Resource Description

This study considers four properties adjacent to or very near Homestead National Monument of America. (See Figure 1.) All parcels are zoned 'AG-3: Agricultural Conservation District' by Gage County. AG-3 is defined as those areas which, because of limiting environmental characteristics such as scenic status, excessive slope, soils conditions, high water table, designated floodplains or other factors, require the regulation of development in keeping with the conditions imposed by the natural environment (See Appendix A for a description of the AG-3 zoning conditions.)

**Parcel A:** South of the current park boundary are two parcels totaling 140 acres owned and managed by the Friends of Homestead, a nonprofit friends organization. The estate of Opal Shum provided direction to the Friends to execute the purchase, and the Nebraska Environmental Trust made a matching gift of \$250,000 to purchase the property. Much of the property is now managed for prairie restoration. The current southern boundary of the Monument is partially comprised of the Osage orange hedgerow planted by the original homesteader, Daniel Freeman. This living fence was planted circa 1875 and contributes to the significance of the Monument. The Bur Oak forest in the western portion of the Monument is a fundamental resource. Parcel A (also known as the Friends property) abuts both the Bur oak forest and part of the Osage orange hedgerow on current southern boundary of the park.

The 140 acre Friends property is in the U.S. Department of Agriculture's Conservation Reserve Program - State Acres for Wildlife Enhancement Program (CRP-SAFE), a program where property owners take land out of agricultural production and create a habitat beneficial to target high-priority species, in this case, the prairie chicken. In exchange, the property owners receive annual rental payments, incentives and cost-share assistance to establish habitat-enhancing natural covers on eligible land. The property is in the sixth year of a ten year contract set to expire in December 2018, with the possibility of renewal. The Friends of Homestead in partnership with U.S. Department of Agriculture and the Nebraska Game

and Parks Commission converted the farm land to prairie restoration, ceasing the planting of row crops, removing terraces and trees, and planting native forbs and grasses which were approved by the NPS. In 2009, the Friends of Homestead entered into a ten year agreement with the Nebraska Environmental Trust ending May 1, 2019. The agreement was for their partnership in restoring native ecology and assisting with prescribed burning.

**Parcel B:** South and east of the current park boundary and to the east of the Friends property is Parcel B, which is comprised of two parcels totaling 160 acres. The property is agricultural and largely in row crop production. The property includes a portion of the stock pond, the other portion of which is within the boundary of the Monument. In the northwest corner of the property is a small wooded area. There are no buildings on the property.

**Parcel C:** Parcel C is a square parcel 40 acres in size located at the corner of Highway 4 and SW 89th Road. The National Park Service owns an easement on nearly six acres of the northern portion of the parcel along Highway 4 that are already included within the park boundary. This study will evaluate the potential addition of the remaining 34.07 acres of the property to the boundary of the Monument. There are no structures on the parcel. The northwest portion is currently in row crop cultivation, and the southeast portion is covered by Bur Oak forest. Cub Creek winds through the southeast portion, and the remains of an old freight road (Grain Growers Highway) runs through the middle of the parcel.

**Parcel D:** Parcel D is a 20 acre parcel in size and is bordered on three sides by the Friends property and on the fourth side by West Hoyt Road. The parcel is dominated by an unoccupied farmstead. According to the Gage County Assessor's records, an approximately 1,400 sq. ft. one story house and seven out-building (two farm implement sheds, a farrowing house, a grain bin, a loafing shed, a bunker silo, and a pole utility building) stand on the site. Dimensions and values for each are recorded on the Gage County Assessor's records.



# Part Three: Application of NPS Criteria for Boundary Adjustments and Alternatives

This boundary adjustment study examines the cultural, historic, and natural significances of the properties to determine how they fit into the thematic context of Homestead National Monument. It also examines the potential for lands to address management issues or resource protection. The study evaluates the properties under consideration according to criteria set forth originally in the 1991 NPS Boundary Criteria document (NPS 1991B) and clarified in Section 3.5 of *NPS Management Policies 2006* (NPS 2006). For a property to be included in a boundary expansion, at least one of the three criteria must be met.

The inclusion of the property must meet one of the following three criteria:

1. Protect significant resources and values, or enhance opportunities for public enjoyment related to park purposes;
2. Address operational and management issues, such as the need for access or the need for boundaries to correspond to logical boundary delineations such as topographic features or roads; or
3. Otherwise protect park resources that are critical to fulfilling the park purposes (NPS 2006).

In addition to meeting one of the three criteria above, potential additions must also meet both of the following criteria from Section 3.5 of the *NPS Management Policies 2006* (NPS 2006):

- A. The added lands will be feasible to administer, considering size, configuration, and ownership costs; the views and impacts on local communities and surrounding jurisdictions; and other factors such as the presence of structures, hazardous substances or exotic species.
- B. Other alternatives for management and resource protection are not adequate.

Although the current enabling legislation for the Park does not allow for appropriated funds to be used for the acquisition of property, this study

analyzes the properties with the possibility of using federal funds to acquire property, because congressional action would be required to revise the boundary and would stipulate if appropriate funds could be used to acquire additional lands. If land were to be acquired by willing donation, however, no federally appropriated funds would be necessary.

## Boundary Adjustment Criteria Application

### Parcel A (Southwest 140 acres)

The parcels owned by the Friends of Homestead, totaling 140 acres, are located south of the park. This study concludes that they meet criterion 1 because they can protect park significant park resources, namely the Osage orange hedgerow and the Bur oak forest.

The Osage orange hedgerow runs along a portion of the border between Parcel A and the Monument. This resource, which contributes to the significance of the homestead, is critical to maintaining the visual boundary of the original 160 acre Freeman homestead. Roots of the hedgerow can be found growing in the adjacent property. Acquisition of this property would allow for park protection of both sides of this resource and better control of growing conditions.

The lowland Bur oak forest is now a rare ecosystem in the state of Nebraska; the Bur oak forest of the Monument borders Parcel A. There has been prairie restoration and exotic plant removal on the Friends property. Acquisition of this continued management of the property in a natural or prairie restoration state will help protect this forest, a fundamental resource of the park already threatened by lack of tree renewal in a mature forest. Should the Friends of Homestead no longer receive income from the CRP program to defray taxes and maintenance costs, they could be in position to have to sell the property. Since roughly half of the property is classified by the U.S. Department of Agriculture as prime farmland and both parcels are zoned AG-3 by Gage County, a zoning that encourages agricultural

use, it is anticipated that other private ownership would return the property to row crop cultivation.

If the parcel were to return to agricultural production, there is a strong likelihood that agricultural runoff would result in detrimental effects to the lowland Bur oak forest at the park. Acquisition would continue protection of the forest from direct agricultural runoff through the prairie restoration the owners has provided.

As a secondary benefit, there is also an opportunity to increase public enjoyment on this parcel. Acquisition could result in development of public access and trails on this property.

The parcel also meets the mandatory criteria for feasibility and for the inadequacy of other management. Though the parcel adds very significantly to the acreage of the park, its resources - restored prairie - are similar to those already within park boundaries. Though it is not contiguous with the park's existing prairie and would have to be managed separately, the park has the necessary equipment, personnel, and expertise to manage the property, which is easily accessible. Exotic species removal has already taken place as part of prairie restoration. Acquisition costs would likely be minimal as the Friends of Homestead intend to donate the parcels to the NPS. While existing management is excellent, the Friends are not viable long term stewards of the property. The Friends of Homestead acquired the property with the intention of donating the parcels for inclusion in

the park. It is anticipated that future uses of the property would be less compatible with park management should it leave Friends ownership for other private ownership.

The parcels that comprise Parcel A (the Friends property) meet the boundary adjustment criteria. Parcel A will be considered in the ensuing management alternatives.

### **Parcel B (Southeast 160 acres)**

Parcel B consists of two parcels along the southern boundary of the Monument, east of Parcel A. The two parcels total 160 acres. This study concludes that they meet criterion 1 because they can protect park significant park resources, to provide for resource protection and to enhance the visitor experience related to park purposes.

As noted above in the analysis of Parcel A, the Osage orange hedgerow contributes to the significance of the Monument and is critical to maintaining the visual boundary of the original 160 acre Freeman homestead. The hedgerow runs along a portion of the border between Parcel B and the Monument, and roots of the hedgerow can be found growing in Parcel B property. The use of Parcel B property in row crop cultivation up to and, in some cases, underneath the hedgerow presents a particular threat as farm equipment may damage the roots and branches of the trees. Acquisition of property or an easement on the far side of the hedgerow would allow for park protection of both



View of Parcel B from Parcel A

sides of this resource and better control of growing conditions.

Protection of visitor experience and enhancement of opportunities for visitor enjoyment can also be achieved with the inclusion in the boundary of property to protect the Osage orange hedgerow. The inclusion in the park boundary and eventual acquisition of property along the southeastern boundary of the Monument would provide three visitor experience benefits. Firstly, acquisition of adjacent property or an easement on the property would prevent the construction of any buildings in the immediate vicinity of the Heritage Center, thus ensuring that the visitor experience there is not disturbed by a more intensive use of the property in the future. Secondly, the pond, a portion of which lies within the existing boundary of the park, would be entirely within park boundaries, allowing the park to better utilize it for programs and better protect water quality from agricultural runoff. Thirdly, a forested portion along the boundary of the Monument is frequently utilized by hunters. Additionally, hunting has been taking place on other areas of Parcel B. Separating hunters on these private lands from visitors on park property would enhance visitor safety.

There are no known structures, hazardous substances, or invasive species on the property. While the property is used largely for crops at this time, the AG-3 zoning does allow for structures to be built, including combined animal feeding operations (CAFOs) which, if constructed too near the Heritage Center, could negatively impact the visitor experience and viewshed. Inclusion in the boundary of the Monument would allow the NPS to purchase either the property itself in fee or an easement on the property. Current management and resource protection strategies are not adequate to prevent possible future development that may directly impact park purposes and visitor experiences.

The addition of Parcel B for the reasons stated above would be feasible to administer considering size, configuration, and ownership costs; the views and impacts on local communities and surrounding jurisdictions; and other factors such as the lack of known structures, hazardous substances or invasive species. The property size needed to achieve the benefits above would be the entire Parcel B. This

will allow for long-term projection of the immediate viewshed and park resources while enhancing the visitor experience and safety. The entire Parcel B will be considered in the ensuing management alternatives.

### **Parcel C (West 40 acres)**

The portion of Parcel C not currently within the Monument boundary (34.07 acres) is bounded on three sides by the park. This study concludes that the parcel meets criterion 2 in that it addresses operational and management issues. The reasons for this are threefold:

The first reason is in the present and the foreseeable future, the traffic on Highway 4 continues to present an access and safety hindrance to park staff when traveling to perform maintenance or interpretive programs at the Freeman School. The only way to reach the school is Highway 4 where slow-moving park maintenance vehicles are at risk for collision with fast-moving passenger and truck traffic. Acquisition of this parcel would allow for an alternative route from the education and maintenance complex to access SW 89th Road, allowing for safer access to the Freeman School and for slow-moving vehicles to access the Heritage Center by bypassing Highway 4 via the connection with West Hoyt Road.

The second reason is that the education and maintenance complex septic system will outlive its useful life in 20 to 30 years, Parcel C is the only possible location for a new leach field. Use of this parcel as a leach field would prolong the life of the education and maintenance buildings, which are critical to park operations.

The third reason is increased efficiency in the management of the Bur Oak forest and Cub Creek. The lowland Bur Oak forest, a fundamental resource of the Monument, was part of the landscape during the homesteading era and is now a rare ecosystem in the region. When park staff need access to the northwest portions of the Bur Oak forest and Cub Creek they must request permission to cross the West 40 parcel from the land owners. By acquiring Parcel C, the park will be better able to manage the forest and creek for erosion, invasive species, and other threats.

In addition to management reasons, acquisition of Parcel C would enhance opportunities for public enjoyment related to park purposes through by increased opportunities for interpretation and education of the old freight road (Grain Growers Highway) which passed through Parcel C.

The parcel also meets the mandatory criteria for feasibility and for the inadequacy of other management. Though the parcel adds significantly to the acreage of the park, if the parcel were acquired the close proximity to maintenance facilities make management practicable and the lack of buildings or structures on the properties means that the increased cost to maintain the parcel could be minimal. Other management options would not allow for the acquisition of the property or easements that would address the operational and management issues outlined above.

This tract meets the boundary adjustment criteria. It will be considered in the ensuing management alternatives.

### **Parcel D (South 20 acres)**

Parcel D, 20 acres on West Hoyt Road surrounded on three sides by Parcel A (the Friends property), is characterized primarily by a complex of residential and agricultural buildings, all of which are currently unoccupied. The property has no historical connection to the Freeman homestead. The resources of this property are not related to park purposes and are not needed to enhance opportunities for public enjoyment. Nor is the parcel needed for operational and management issues at this time. Parcel D would enable the Friends property to correspond to the road grid should that property be included in the boundary. However, this need is not compelling enough for the property to meet criterion 2 - without the parcel there is still adequate access to park property, and park management and operations would not be hindered by a lack of access to this property. Parcel D does not meet any of the first three criteria for inclusion.

Further, if acquired Parcel D may prove outside the realm of financial feasibility for the park, as structures would likely need to be removed and a Phase I Environmental Site Assessment would need to be completed to determine if environmental contamination is present on the property.

Parcel D does not currently meet the criteria for inclusion in the boundary of the Monument. The parcel will not be considered in the ensuing management alternatives.

### **Parcels Dismissed from Analysis**

In addition to the four properties analyzed above, the planning team considered the potential addition of other parcels adjacent to the Monument, but dismissed them from full analysis. Parcels to the west of SW 89th Road that also support Bur oak forest were considered, but because of their isolation from the Monument's Bur oak forest, the study team concluded there would be no benefit to the Monument's existing forest by including those parcels in Monument boundaries. Because they were unlikely to meet any boundary adjustment criteria at this time, they were dismissed from full analysis.

## **Alternatives**

NEPA requires that federal agencies conduct a careful, complete, and analytical study of the impacts resulting from proposals that have the potential to affect the environment, and to consider alternatives to those proposals, well before any decisions are made. This section describes the two alternatives considered, including the No-Action alternative. Following a description of the alternatives selected for analysis is a discussion of the environmentally preferable alternative and preferred alternative.

### **Alternative A: No Action**

Under the No-Action alternative, the Monument boundaries would remain as they are, and no property would be added, either by donation or through the use of appropriated funds. The existing 211 acres would be managed as is. The Monument would continue to foster a relationship with adjacent landowners, including the Friends of Homestead. It is unclear what would happen to the Parcel A, owned by the Friends of Homestead, in the long term, since the nonprofit organization that currently owns it is not prepared to manage it in perpetuity as the income from the Conservation Reserve Program may not be available indefinitely. The Osage orange hedgerow will continue to be exposed to potentially damaging agricultural machinery and chemicals from crop production on

Parcel B, and the visitor experience at the Heritage Center in the long term could be impacted if Parcel B is developed more intensively in the future.

### **Alternative B: Expand the Boundary to Include Parcels That Meet Boundary Adjustment Criteria**

Under Alternative B, all lands found to meet the criteria for inclusion in the Homestead National Monument of America boundary would be added. Addition to the boundary of the park would allow NPS authority to acquire the property by donation or in fee from a willing seller, or to purchase an interest in the property such as an easement. For NPS to implement this alternative, Congress would have to pass new legislation expanding the boundary. The legislation would also need to authorize the use of appropriated funds to acquire land in the expanded boundary.

Alternative B would add 334.07 acres to the Monument from Parcels A, B, and C. Enactment of this alternative would have beneficial impacts on cultural resources, natural resources, visitor experience, and park management. The Osage orange hedgerow would be protected on both sides by the acquisition of Parcels A and B. The Bur oak forest would be further preserved and protected by the acquisition of Parcels A and C, and as a secondary benefit, water quality may marginally improve in the pond and in Cub Creek.<sup>1</sup> The visitor experience would be enhanced by the acquisition of all three properties, providing separation from potentially disruptive land uses and potential opportunities for visitor enjoyment on newly-acquired lands.<sup>2</sup> And finally, park management would strongly benefit from the acquisition of Parcel C immediately, allowing for an alternative to Highway 4 for the movement of equipment which would enhance staff safety, and in the long term, allowing for a leachfield to extend the life of the education and maintenance complex.

The addition of property to the boundary does not in itself impose any restrictions on land use by private owners. The opportunity has arisen for Homestead National Monument of America to receive the donation of the Friends Property that lies adjacent to the park, but outside the current park boundary. Owners of Parcels B and C have also expressed a willingness to work with the National Park Service in communications with the Monument superintendent. The National Park Service would work with landowners towards acquisition of the parcels or interest in the parcels.

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1 At present, the Cub Creek's water quality is classified by the Nebraska Department of Environmental Quality as Category 2, waterbodies where some of the designated uses are met but there is insufficient information to determine if all uses are being met (Nebraska Department of Environmental Quality, 2014 Water Quality Integrated Report).

2 Land acquisition by the National Park Service would create a minor inconvenience on some users of the Graff's property, such as hunters who presently use the property in season.



# Homestead National Monument of America Current and Proposed Boundaries

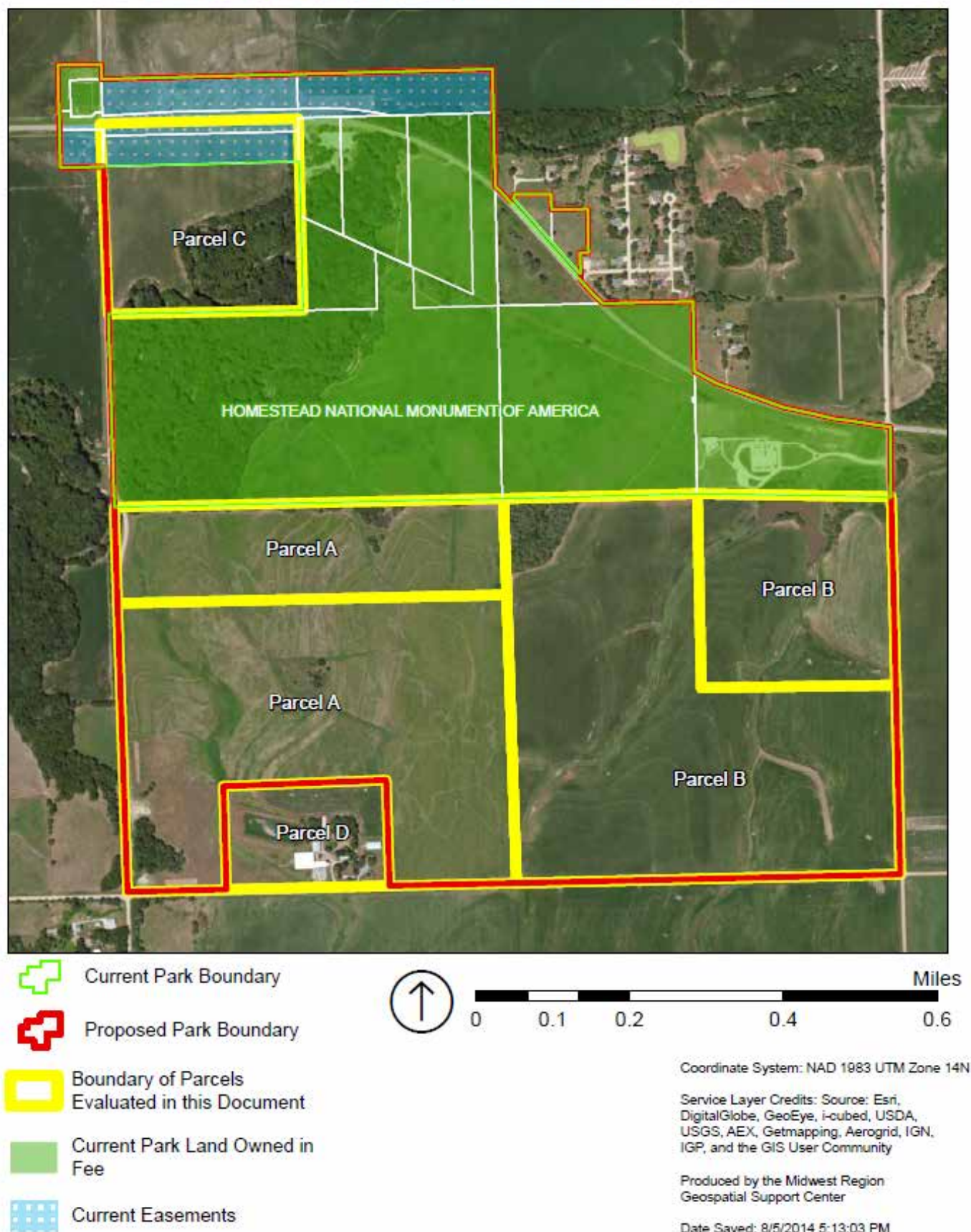
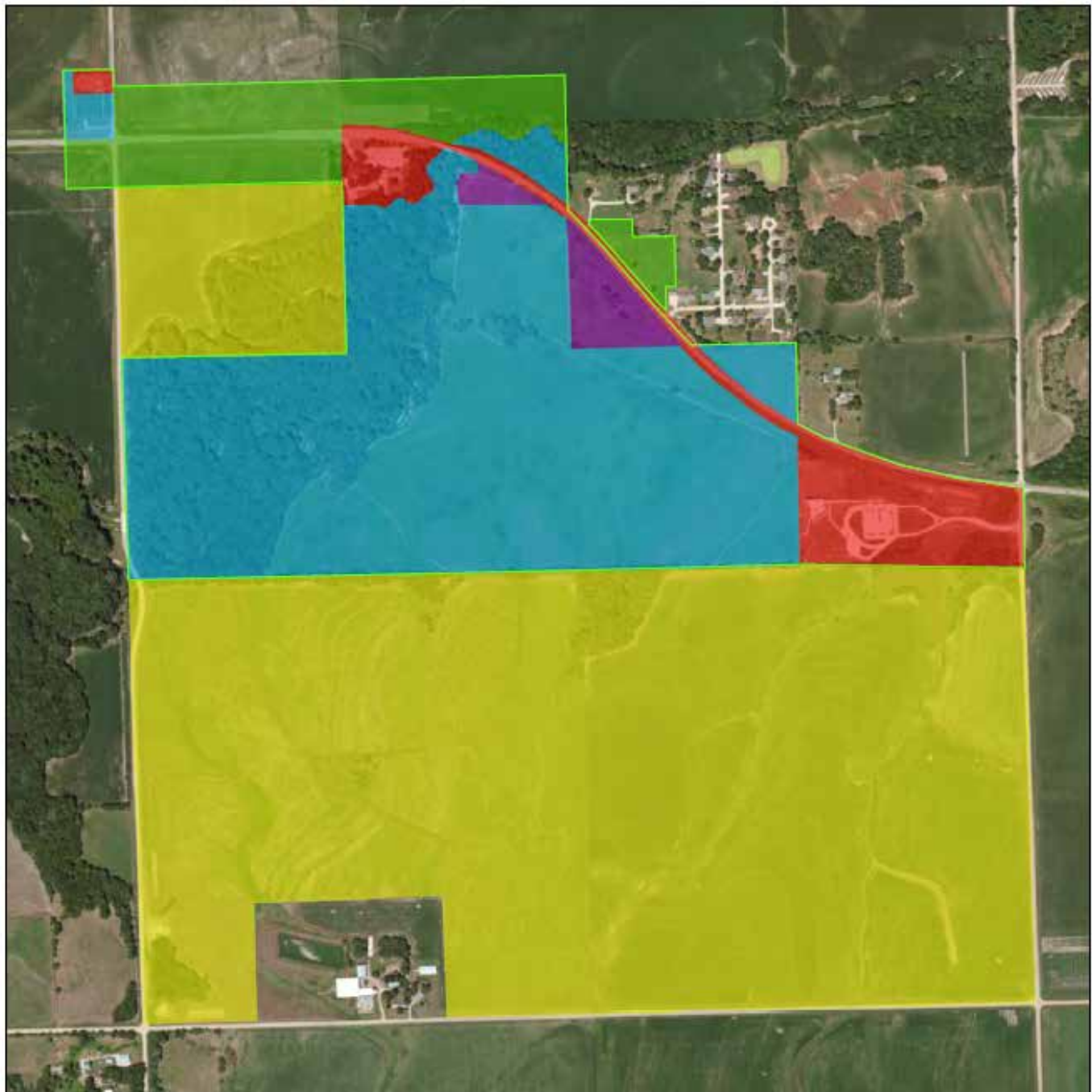


Figure 2: Homestead National Monument of America Current and Proposed Boundaries

# Homestead National Monument of America Current and Proposed Management Zones



Current Park Boundary

## Management Zones



Development Zone



Special Use Zone (Scenic Easement)



Historic Zone



Historic Agricultural Practices  
Demonstration Subzone



Extended Visitor Use Zone



0 0.1 0.2 0.4 0.6 Miles

Coordinate System: NAD 1983 UTM Zone 14N

Service Layer Credits: Source: Esri,  
DigitalGlobe, GeoEye, i-cubed, USDA,  
USGS, AEX, Getmapping, Aerogrid, IGN,  
IGP, and the GIS User Community

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Geospatial Support Center

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## General Management Plan Amendment

This section details how newly-acquired parcels would be zoned should they be added to the boundary of and subsequently acquired by Homestead National Monument of America as described in Alternative B. Management zoning assists park managers in the protection of resources and the enhancement of the visitor experience. Resources and activities within any zone are subject to applicable law and policy.

Existing park zoning under the 1999 General Management Plan is shown in Figure 4 below, and includes four zones:

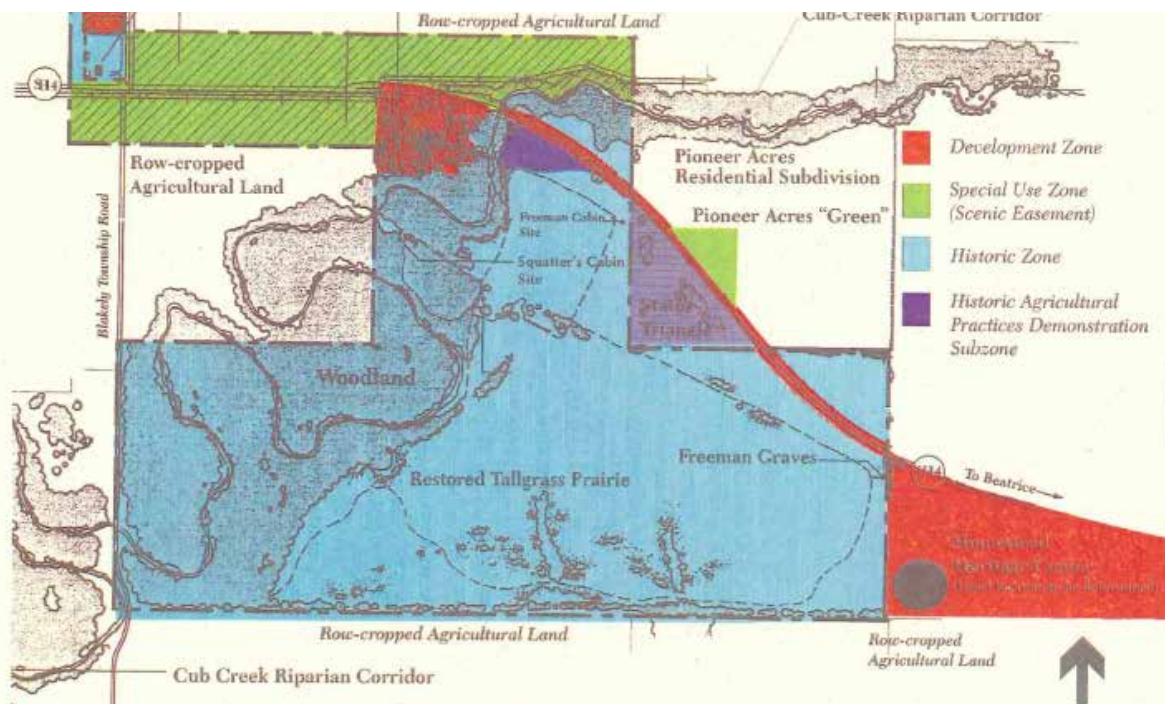
1. **Historic Zone:** Encompasses most of original acreage of the Freeman homestead and the Freeman school.
2. **Historic Agricultural Practices Demonstration Subzone:** Within this subzone is intended as an area for demonstration of historic agricultural practices relating to homesteading era.
3. **Development Zone:** Encompasses approximately six acres. Development includes the Heritage Center (Visitor Center), education and maintenance facilities, and parking lots.
4. **Special Use Zone:** Encompasses approximately 30 acres protected by scenic easements along Highway 4, currently in agricultural use.

Because none of the current zones would match the needs of the added property under Alternative B, this study proposes the creation of a new zone should the boundary be expanded: the Extended Visitor Use Zone.

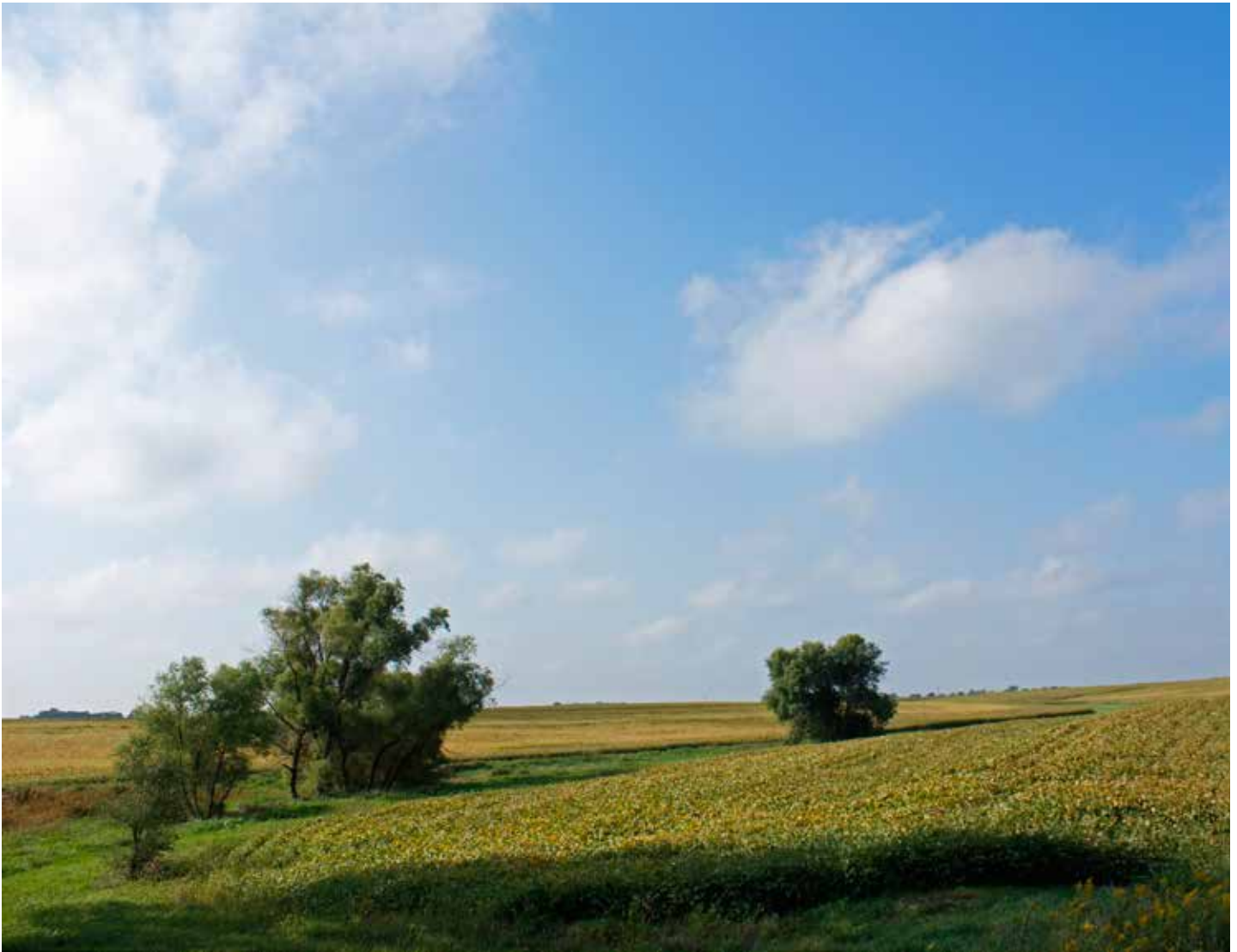
**Extended Visitor Use Zone:** This zone would be managed primarily for protection of resources in the adjacent Historic Zone and secondarily to accommodate compatible visitor uses and park management activities in an open-space setting. Appropriate facilities providing for public enjoyment could include trails, limited camping sites, and wayside signage. Visitor emphasis would be on experience of the landscape and further appreciation for the resources of the adjacent historic zone through activities including hiking, environmental education, and interpretive walks and talks. Appropriate facilities to support park management would be those that have minimal ecological or visual impacts on adjacent resources, such as access roads and below-surface infrastructure. Figure 4 depicts the Monument's current and proposed management zones.

## Environmentally Preferable Alternative

According to the CEQ regulations implementing NEPA (40 CFR 1500-1508), the environmentally preferable alternative is the alternative "... that causes the least damage to the biological and physical environment and best protects, preserves,



Facing page: Figure 3: Monument Current and Proposed Management Zones; Above: Figure 4: 1999 GMP Management Zones



View of Parcel B

and enhances historical, cultural, and natural resources. The environmentally preferable alternative is identified upon consideration and weighing by the Responsible Official of long-term environmental impacts against short-term impacts in evaluating what is the best protection of these resources. (See Part Five for definitions of impact terminology.) In some instances, such as when different alternatives impact different resources to different degrees, there may be more than one environmentally preferable alternative”.

Alternative B is the environmentally preferable alternative. The action alternative will ensure short and long-term protection to the biological and physical environment. It also best protects and preserves cultural and natural resources.

## Preferred Alternative

The NPS must identify a preferred alternative for the proposed action. The CEQ guidance states:

“the agency’s preferred alternative” is the alternative which the agency believes would fulfill its statutory mission and responsibilities, giving consideration to economic, environmental, technical and other factors.

The preferred alternative for the Monument Boundary Adjustment Study/General Management Plan-Amendment/Environmental Assessment is Alternative B, the action alternative, because it would best fulfill its statutory mission and responsibilities and protection important cultural and natural resources. Alternative B would protect fundamental park resources against current and future adverse impacts.

## Part Four: Affected Environment

This chapter summarizes relevant resource components of the existing environment directly in the parcels of the lands studied in the boundary adjustment study. It describes environmental components that would be affected by the alternatives (including the No-Action Alternative) if they were implemented, and provides a baseline against which environmental consequences of the boundary additions can be compared. Additional material related to the impacts and effects of the alternatives is included in Part Five: Environmental Consequences.

### Adjacent Land Uses and Viewshed

The Monument is located west of Beatrice in Gage County, in southeastern Nebraska. State Highway 4 crosses the Monument diagonally in the eastern and northern sections. Agriculture activities dominate the area surrounding the Monument. Row crops, in particular, corn and soybeans are the most frequent uses. Two anhydrous ammonia fertilizer plants operate north of the Freeman School. To the northeast, a 24-home residential subdivision (Pioneers Acres) and one 4-unit apartment building border the Monument. Parcel A is currently within the U.S. Department of Agriculture's Conservation Reserve Program - State Acres for Wildlife Enhancement Program (CRP- SAFE), thus in-line with the Monument's conservation principles. Parcel A is in the sixth year of a ten year cycle of the CRP-SAFE program.

As stated in Part Two: Resources Description, adjacent lands are zoned 'AG-3: Agricultural Conservation District' by Gage County. AG-3, which primarily limits land use activities because of environmental characteristics such as scenic status, excessive slope, soils conditions, high water table, designated floodplains or other factors, require the regulation of development in keeping with the conditions imposed by the natural environment (See Appendix A for a description of the AG-3 zoning conditions).

*NPS Management Policies 2006* states that scenic views and visual resources are considered highly valued associated characteristics that the NPS

should strive to protect (NPS 2006). A viewshed is the total visible area from a particular fixed vantage point, in this case, the Heritage Center. The immediate viewshed from the Heritage Center to the south consists of agricultural lands. However, the AG-3 zoning allows for structures to be built, including concentrated animal feeding operations.

### Park Management

The staff at the Monument is responsible for managing approximately 211 acres of land and accommodating approximately 75,000 visitors each year. The Monument currently has 13 permanent and 1.5 seasonal employees who perform a variety of functions including: park management and administration, facility management, maintenance of historic structures, grounds and museum objects, resource management, and interpretive operations. Facility management has three permanent and 1.5 seasonal employees that could perform additional lands maintenance duties. Maintenance activities include mowing, maintaining historic and non-historic structures, snow removal and other miscellaneous duties. Currently, the need to drive equipment on Highway 4 to access the Freeman School and other areas of the site presents a safety hazards to employees from fast-moving traffic.

### Cultural Landscape Features

The Monument commemorates the Homestead Act of 1862 on the land where Daniel Freeman was the first to file a claim under the Act (NPS 2000). The original park boundary (and most of the current boundary) is the same land boundary used by Daniel Freeman when he filed his homestead claim on this 160-acre tract of land. The "T" shaped boundary was selected by Freeman to provide the three essential elements for a successful homestead - timber, water resources, and tillable land. The original boundary of the "T" shaped homestead site is a contributing element to the National Register of Historic Places district.

Along the south boundary is the Osage orange hedgerow. This is a historic feature as it was planted by Daniel Freeman in an effort to delineate his



south property line and to serve as a windbreak and fencerow. The hedgerow runs along a portion of the border between Parcels A and B and the Monument. This resource, which contributes to the significance of the homestead, is critical to maintaining the visual boundary of the original 160 acre Freeman homestead. Roots of the hedgerow can be found growing in the adjacent Parcels A and B properties.

The Osage orange hedgerow has experienced some invasion of Eastern Red Cedar and other shrubs introduced into adjacent areas for conservation purposes. Its distance from the historic core prevents many visitors from observing this major cultural landscape feature associated with Freeman and typical Midwestern nineteenth-century farms prior to the availability of barbed wire. Although the hedgerow is in good condition, the majority of the trees are quite mature and nearing the end of their life expectancy. Grafting, replanting, and other horticultural techniques are being explored to ensure the survival and conscientious management of the Osage orange hedgerow (Cultural Landscape Report, 2000).

### **Natural Resources (Bur oak forest)**

There are approximately 40 acres of forested land adjacent to Cub Creek which meanders through the Monument. The Bur oak forest is adjacent to the Friends property, and a portion of Bur oak forest grows on Parcel C. The Bur oak forest is a rare ecosystem in the state of Nebraska, and a fundamental resource of the Monument. The Bur oak forest was present prior to the settlement by Freeman and has a strong historical connection to the Monument.

Historically, this riparian forest was likely dominated by Bur oaks (*Quercus macrocarpa* Michaux) and Hackberry (*Celtis occidentalis*). Currently, only a portion of the northern half of the Monument maintains a relatively undisturbed riparian forest with some canopy dominance by Bur oaks. This area is considered an “exemplary lowland Bur oak forest” in the community classification of the Nebraska Natural Heritage Program (Steinauer and Rolfmeier 2003, and Rolfmeier 2007). Conversely, the southern half and prairie margins of this forested riparian area have been ecologically altered by human settlement (e.g., agriculture, cattle grazing, timber harvest, fire exclusion), subsequently, Bur oaks are no longer a dominant species (NatureServe 2006, Rolfmeier 2007).



View of the stock pond from the Monument

## Part Five: Environmental Consequences

This section analyzes the potential environmental consequences, or impacts, that would occur as a result of the implementation of both alternatives. Topics analyzed in this chapter include adjacent land uses, park management, cultural landscape features, and natural resources (Bur oak forest). The document will be used for consultation purposes in compliance with Section 106 of the NHPA. Because this document is intended to comply with Section 106, the analysis of cultural resources also contains an assessment of effect.

### General Methodology for analyzing impacts:

In accordance with the CEQ regulations, direct, indirect, and cumulative impacts are described (40 CFR 1502.16) and the impacts are assessed in terms of context and intensity (40 CFR 1508.27). Where appropriate, mitigating measures for adverse impacts for each resource may vary; therefore, these methodologies are described under each impact topic.

Types of impacts describe the classification of the impact either as beneficial or adverse, direct or indirect. The terms “impact” and “effect” are used interchangeably throughout this EA.

- **Beneficial:** An impact that would result in a positive change to the resource when compared to the existing conditions.
- **Adverse:** An impact that causes an unfavorable result to the resource when compared to the existing condition.
- **Direct:** Impacts that would occur as a result of the proposed action at the same time and place of implementation (40 CFR 1508.8).
- **Indirect:** Impacts that would occur as a result of the proposed action but later in time or farther in distance, but still reasonably foreseeable from the action (40 CFR 1508.8).

**Cumulative Impact Scenario Analysis Methodology**  
The CEQ regulations require the assessment of cumulative impacts in the decision making process for federal projects. Cumulative impacts are defined as “the impact on the environment which results from

the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 CFR 1508.7). Cumulative impacts are considered for both the no-action and preferred alternatives.

Cumulative impacts were determined by combining the impacts of the action alternative (implementation of Alternative B) with other past, present, and reasonably foreseeable future actions. Therefore, it was necessary to identify other ongoing or reasonably foreseeable future projects at the Monument and, if applicable, the surrounding region. No other foreseeable future development is anticipated for the Monument other than possible expanding visitor opportunities and park support functions if parcels found eligible for inclusion in park boundaries were to be acquired.

Reasonably foreseeable impacts from non-Monument development include those from the possible reroute of Nebraska State Highway 4. This would result in a reduction of traffic in the nexus of the Monument. Recently, wind farms for alternative energy have expressed a desire to develop in Gage County. This could have a long-term adverse impact on the visual resources, cultural landscape and visitor experience of the Monument.

### Assessing Impacts using CEQ Criteria

The impacts of the alternatives are assessed using the CEQ definition of “significantly” (1508.27), which requires consideration of both context and intensity:

**Context:** Significance varies with the physical setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. This means that the significance of any action may be analyzed within the appropriate context, such as society as a whole (human, national), the affected region, or the locality. Both short-term and long-term effects are relevant which is often characterized as duration.

**Duration:**

- Short-term: impacts generally last only during the initiation and implementation of the project, and the resources resume their pre-project conditions following the implementation of the project.
- Long-term: impacts last beyond the initiation and implementation of the project, and the resources may not resume their pre-project conditions for a longer period of time.

**Intensity:** this refers to the severity of the impact. The following should be considered in evaluating intensity:

- Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.
- The degree to which the proposed action affects public health or safety.
- Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
- The degree to which the effects on the quality of the human environment are likely to be highly controversial.
- The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
- The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
- Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.
- The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific,

cultural, or historical resources.

- The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
- Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the impact.

For each impact topic analyzed, an assessment of the potential significance of the impacts according to context, intensity and duration is provided in the “conclusion” section that follows the discussion of the impacts under each alternative. Intensity of the impacts fully considers the relevant factors from the list above. Intensity factors that do not apply to a given resource topic and/or alternative are not discussed.

## Adjacent Land Uses and Viewshed

### Alternative A (No-Action)

#### *Impacts*

Under the no-action alternative, there would be no foreseeable change in the existing adjacent lands uses or immediate viewshed. As a result, there would be no adverse impact. However, the NPS would be unable to prescribe the land use activities on these adjacent parcels. Existing land uses include actively cultivated agricultural lands (Parcels B and C) and conservation land (Parcel A). Although these land uses are currently compatible with the NPS, the existing zoning allows for a departure from these uses. If the adjacent lands were to change ownership or use as allowed by the Gage County zoning it could have a long-term, direct, adverse impact on the Monument’s immediate viewshed and land use. All parcels are zoned AG-3, which is primarily for agricultural uses, however, AG-3 zoning allows for structures to be built, including concentrated animal feeding operations. Any structure or intensive agricultural use such as a concentrated animal feeding operation would have an adverse impact on the immediate viewshed and odor of the Monument.

#### *Conclusion*

The existing land uses and immediate viewshed are not adversely impacting the Monument. However, the Gage County zoning allows for a departure from the existing uses. If land uses were to change

from agriculture and CRP conservation to an incompatible or inappropriate use it could have a severe, long-term, direct, impact on the Monument.

## **Alternative B**

### ***Impacts***

Under the action alternative, the Monument would be expanded to include the lands to the south and northwest of the Monument; Parcel A (140 acres), Parcel B (160 acres) and Parcel C (34.07 acres), a total increase of 334.07 acres.

Under NPS management, land use activities would be compatible and appropriate to the existing Monument land uses practices and would be subject to the NPS Organic Act (16 USC 1). Possible land uses would include increased visitor experience opportunities such as foot trails and interpretive signage. Expansion of the Monument and acquisition of the adjacent parcels would ensure long-term protection of the immediate viewshed as no incompatible uses would take place.

### ***Conclusion***

Implementation of the action alternative would ensure long-term protection of the immediate viewshed, to and from the Monument. Additionally, land use of the Monument and these parcels, if acquired would be compatible with the existing land use practices of the NPS.

## **Park Management**

### **Alternative A (No-Action)**

#### ***Impacts***

Under the no-action alternative, Monument management and operations would continue as they are now. Safety concerns would continue to exist for traveling on the highway with maintenance equipment. Additional park improvements would be limited to the current boundary of the park and there will be no place to put effluent from the education and maintenance buildings. Continued safety concerns and inability to develop a new leachfield would be long-term, adverse impacts on park operations.

#### ***Conclusion***

The no-action alternative, if implemented, would cause long-term, adverse impacts to park operations because they will be unable to dispose of

effluent appropriately on current park property. Furthermore, safety risks to Monument employees would continue, as no other option would be available for maintenance vehicles to access the Freeman School and other areas of the Monument except travel along the heavily used Nebraska State Highway 4.

## **Alternative B**

### ***Impacts***

Implementation of the action alternative could result in direct, long-term, adverse and beneficial impacts on Monument operations. An NPS interest in lands added to the boundary could be acquired through easement or ownership via donation or fee purchase. Monument ownership of all lands found to meet the NPS criteria would result in 334.07 acres of additional land to manage, a 158% increase. An increase in the Monument's NPS-owned acreage by 158% would impact existing Monument employees. It is foreseeable the Monument would need an additional one or two seasonal employee(s) to perform exotic plant management, cultural resource survey/inventorying, and other maintenance duties, as needed for management of new parcels. This would result in a direct, long-term adverse impact on park operations if funding levels remain static. However, the action alternative would also be a beneficial impact as it greatly reduces staff exposure to safety risk from operating equipment on the State Highway 4 and would provide a location for future septic tank and leachfield as the existing septic tank at the Monument is nearing the end of its life expectancy. Any subsequent future action on these parcels would require appropriate compliance before implementation.

### ***Conclusion***

Implementation of the action alternative would result in long-term adverse impacts as a result of staff needing to manage the additional land parcels. An increase of acreage of this magnitude would require the Monument to acquire one or two additional seasonal employee(s). Although adverse, this impact is not overly severe considering this would increase the acreage of the Monument by 158%.

## **Cultural Landscape Features**

The Monument has elected to integrate compliance of Section 106 of the NHPA into the NEPA process and documentation pursuant to 36 CFR





Osage orange hedgerow. Parcel B is on the left.



800.8(c). This impact analysis is designed to meet both statutory requirements. (See 36 CFR 800.8(c) (1)(ii)-(iii)). Advisory Council on Historic Preservation (ACHP) regulations for implementing Section 106 require that effects on historic properties be identified and evaluated by determining the area of potential effects (APEs), or the area of geographic study; identifying cultural resources present in the APE that are either listed on or eligible for listing on the National Register; applying the criteria of adverse effect on these historic properties; and considering ways to avoid, minimize, or mitigate adverse effects on them.

Under the ACHP regulations, a determination of no effect, no adverse effect, or adverse effect must be made for National Register-listed or National Register-eligible historic properties located in the APE. A determination of no effect is made when it is found that no historic properties are present or there are historic properties present but the undertaking would have no effect upon them. A determination of no adverse effect results when there is an effect on a resource but it would not diminish the characteristics of the historic property that qualify it for inclusion in the National Register. An adverse effect occurs when an impact alters any characteristic of an historic property that qualifies it for inclusion in the National Register in a manner that would diminish the integrity of its location, design, setting, materials, workmanship, feeling, or association. (36 CFR 800.5(a)(1)).

In addition to the analysis under NHPA, the NPS is required to analyze impacts to cultural resources under NEPA. Under NEPA, impacts to cultural resources are assessed as either adverse or beneficial. Under both laws, adverse effects are those that negatively affect the integrity of elements important to the significance of a cultural resource. Impacts on cultural resources under NEPA are not necessarily equivalent to effects on historic properties under NHPA. In this section, discussion of impacts is specific to NEPA, while that of effects is specific to Section 106 of the NHPA.

A Section 106 summary is included in the impact analysis section for the cultural landscape feature (Osage orange hedgerow). The Section 106 summary is an assessment of the effect of the undertaking (implementation of the alternative) only on cultural resources listed on or eligible for the

National Register, based on the criteria of effect and criteria of adverse effect found in the regulations of the Advisory Council.

## **Alternative A (No-Action)**

### ***Impacts***

Under the no-action alternative, adverse impacts to the historic Osage orange hedgerow could continue. Direct and long-term adverse impacts as a result of agricultural equipment which operates on the adjacent land parcel of the Osage orange hedgerow have occurred. Agricultural equipment has damaged Osage orange branches and root structure. The Osage orange hedgerow contributes to the significance of the Monument and delineates the boundary of the original homestead claim by Daniel Freeman on the 160-acre tract of land. Generally, the Osage orange hedgerow's trees are mature and nearing the end of their life expectancy, any additional adverse impacts from adjacent lands would hasten their decline.

### ***Section 106 Summary***

NHPA section 106 regulations apply only to properties that meet the eligibility requirements of the National Register. Therefore, the assessment of NHPA section 106 effects applies only to those historic structures/cultural landscape features that are listed on the National Register or those that meet National Register criteria for listing. The application of the Advisory Council criteria of adverse effects (36 CFR 800.5 "Assessment of Adverse Effects") has been completed. Under the no action alternative the Monument would not expand its boundary. As a result, an adverse effect could occur if the Monument was unable to address the adjacent land uses that are impacting the cultural landscape feature.

### ***Conclusion***

The no-action alternative, if implemented, could result in direct, long-term impacts to the living cultural feature as a result of potential further agricultural impacts.

## **Alternative B**

### ***Impacts***

Under the action alternative, there would be no adverse impacts to the cultural resources as a result of a possible boundary expansion of the Monument. If the demarcations of the historic 160



Bur oak forest and Cub Creek at the Monument.

acres of the original homestead are retained, there will be no detrimental impacts to that resource. Agricultural equipment would no longer be operating beneath Osage orange hedgerow branches or directly above hedgerow roots. This would be a direct, long-term beneficial impact.

### ***Section 106 Summary***

NHPA section 106 regulations apply only to properties that meet the eligibility requirements of the National Register. Therefore, the assessment of NHPA section 106 effects applies only to those historic structures/cultural landscape features that are listed on the National Register or those that meet National Register criteria for listing. The application of the Advisory Council criteria of adverse effects (36 CFR 800.5 “Assessment of Adverse Effects”) has been completed. Boundary expansion by the Monument would result in no effect to historic properties. See Appendix B: Consultation Letters – Nebraska SHPO response.

### ***Conclusion***

Implementation of the action alternative would result in long-term beneficial impacts as agricultural equipment would no longer be operating beneath hedgerow branches or directly above hedgerow roots. The Section 106 determination is ‘no adverse effect’.

## **Natural Resource - Bur Oak Forest**

### **Alternative A (No-Action)**

#### ***Impacts***

Under the no-action alternative, should the Friends of Homestead no longer receive income from the CRP program to defray taxes and maintenance costs, they could be in position to have to sell the property. Since roughly half of the property is classified by the U.S. Department of Agriculture as prime farmland and both parcels are zoned AG-3 by Gage County, a zoning that encourages agricultural use, it is anticipated that other potential private ownership would return the property to row crop cultivation. If Parcel A were converted into agricultural production it is foreseeable that such action could have a direct adverse impact on the Bur oak forest as a result of agricultural runoff. This runoff has the potential to impact not the Bur oaks themselves, but the shallow-rooted plants that accompany it in the forest. Furthermore, under the no-action alternative, Parcel C, which encompasses

part of the Bur oak forest, would continue to be impacted by agricultural runoff and further the Cub Creek streambed erosion that could damage roots.

### ***Conclusion***

The no-action alternative, if implemented, could result in direct, long-term impacts to Bur oak forest as a result of further agricultural runoff impacts. If further adverse impacts were to occur it could jeopardize the survival of this rare ecosystem in the state of Nebraska, and a fundamental resource of the Monument.

### **Alternative B**

#### ***Impacts***

Implementation of the action alternative would result in direct, long-term beneficial impact to the Bur oak forest. Acquisition would continue to protect the forest and the water quality of Cub Creek from direct agricultural runoff that the prairie restoration by the Friends has provided. This would guarantee long-term protection of the lands adjacent to the Bur oak forest where restoration actions could continue, which would reduce adverse impacts on the Bur oak forest by managing the ecosystem for resiliency and reduction of adverse impacts.

### ***Conclusion***

Implementation of the action alternative would result in long-term beneficial impacts as the potential for agricultural runoff from adjacent property would be eliminated. Acquisition would continue protection of the forest and the water quality in the Cub Creek from direct agricultural runoff that the prairie restoration by the Friends has provided.

# Part Six: Consultation and Coordination

## Internal Scoping

Internal scoping was conducted by an interdisciplinary team of professionals from the Monument, and the Midwest Regional Office. Interdisciplinary team members spoke in May and November of 2013 about the various parcels being analyzed for possible inclusion.

## Consultation

On May 19, 2014 the NPS consulted with a representative of the U.S. Fish and Wildlife Service (FWS) to evaluate the potential impacts of this project on threatened or endangered species and their habitat. The FWS has no specific concerns about the project at this time. On August 8, 2014 the NPS consulted with a representative of the Nebraska Game and Parks Commission to evaluate the potential impacts of the proposed project on state listed threatened or endangered species and their habitat. The State Game and Parks Commission have no specific concerns about the project at this time.

The NPS consulted with the Nebraska State Historic Preservation Office (NE SHPO) on June 24, 2014 regarding the proposed boundary expansion. The SHPO concluded there would be no historic properties affected by the project. Additionally, the NPS submitted letters of the consultation letter to the Advisory Council as this EA satisfies the requirements of Section 106 of the National Historic Preservation Act in accordance with 36 C.F.R. 800.8(c).

A scoping letter introducing the proposed project accompanied with maps was sent to the Otoe-Missouria Tribe in June 2014. The Otoe-Missouria Tribe Chairman has not responded with concerns. A follow up call was conducted by Monument personnel. The Otoe-Missouri Tribe Chairman has no comment or requested a copy of the plan.

## List of Preparers and Contributors

### *Homestead National Monument of America*

Mark Engler  
Blake Bell  
Jesse Bolli

### *Midwest Regional Office*

James Lange  
Natalie Franz  
Tokey Boswell

# Appendices and References

## Appendix A: Gage County AG-3 Zoning Description

### 5.3 AG-3 AGRICULTURAL CONSERVATION DISTRICT

5.31 INTENT: This District is intended for those areas which, because of limiting environmental characteristics such as scenic status, excessive slope, soils conditions, high water table, designated floodplains or other factors, require the regulation of development in keeping with the conditions imposed by the natural environment.

5.32 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. General farming and ranching activities, excluding any expansion of existing or development of livestock confinement facilities/operations as defined in Section 3.50.
2. Irrigation, flood, erosion and sediment control projects.

5.33 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as special uses.
2. Home occupations in accordance with Article 8; and
3. Roadside stands for temporary sale of produce.

5.34 PERMITTED CONDITIONAL USES AND STRUCTURES: The following shall be permitted upon a determination of compliance with the conditions stated below and approved as such by the Gage County Zoning Administrator:

1. Expansion of existing or development of new livestock confinement facilities/operations of a capacity of three hundred (300) to five hundred ninety-nine (599) Animal Units. Proposed facilities/operations, as defined in Section 3.50, shall be in accordance with Section 6.4;
2. Non-farm single family, ranch and farm dwellings and two (2) additional farm/ranch single dwelling units for the purpose of housing relatives or permanent agriculture workers in conformance with the following conditions:
  - A. Any dwelling placed within the minimum distance requirement of a livestock confinement facility shall be by special permit.
  - B. Minimum lot size of single family dwellings shall be three (3) acres. Only two (2) single family dwellings are permitted for each legal quarter-section. A legal quarter-section shall constitute 160 acres. For any application involving a non-standard quarter-section, the Zoning



Administrator shall take into consideration the actual acreage of the quarter-section in question.

- C. All single family dwellings other than seasonal use dwellings, shall have direct frontage on, or private access to, an improved street, county or township road (not including dirt or minimum maintenance roads).

5.35 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the AG-3 Agricultural Conservation District if a special permit for such use has been obtained in accordance with Article 6 of these Regulations.

1. Sewage disposal and water systems;
2. Public and private uses including parks, playgrounds, golf courses, recreation uses, riding stables, public utilities, and utility distribution system;
3. Bed and breakfast establishments;
4. Mineral extraction, which shall include the following: oil wells, sand and gravel extraction and quarries;
5. Expansion of existing or development of new livestock confinement facilities/operations of a capacity equal to, or in excess of six hundred (600) animal units and expansion or development within the minimum distance requirements of a cemetery. Proposed facilities/operations, as defined in Section 3.50, shall be in accordance with Section 6.4; and
6. Dwellings within the minimum distance requirement of a livestock confinement facility.

5.36 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not specially permitted or not permissible as special uses shall be prohibited from the AG-3 Agricultural Conservation District.

5.37 SPECIAL REGULATION: Provisions must be made for disposal of wastes in accordance with local and state regulations.

5.38 MINIMUM LOT REQUIREMENTS: All improved area or uses, other than seasonal use residential buildings and general farming, ranching, pasturing, etc, shall have direct frontage on, or private access to, an improved street, county or township road (not including dirt or minimum maintenance roads).

- A. Any subdivision of land which results in at least one but not more than three lots or parcels which are three (3) to ten (10) acres in size may be approved by the Gage County Zoning Administrator, as stated in section 7.15 of the Gage County Subdivision Regulations. All other requirements of the Gage County Zoning Regulations must be complied with and each application for such a subdivision shall be accompanied by a survey clearly showing the

location and dimensions of the lots or parcels to be created. The creation of the lots or parcels shall be recorded with the Register of Deeds.

5.39 MINIMUM YARD REQUIREMENTS:

1. No structure shall be placed within the high water mark of waterways in designated district, as identified by the Flood Insurance Rate Map (FIRM) dated 05/01/1990 as Special Flood Hazard Areas unless the base or footings to such structure are at least one (1) foot above such high water mark.

2. Yard requirements are as follows:

Front Yard: There shall be a minimum front yard of not less than a depth of seventy-five (75) feet measured from the center line in conformance with Section 8.7.

Rear Yard: No limitations; unless abutting a R Residential District then the minimum rear yard shall be fifteen (15) feet or unless abutting an improved county road, state or federal highway, then the minimum rear yard shall be seventy-five (75) feet.

Side Yard: No limitations; unless abutting a R Residential District then the minimum side yard shall be ten (10) feet or unless abutting an improved county road, state or federal highway, then the minimum side yard shall be seventy-five (75) feet.

5.310 MAXIMUM HEIGHT: Thirty-five (35) feet; however, nonresidential uses shall have no height limitations except in conformance with local Airport Zoning Regulations.

5.311 PARKING REQUIREMENTS: See Article 7.

5.312 FENCES, WALLS, HEDGES AND SHELTER BELTS: See Articles 8.7.

## Appendix B: Consultation Letters



### United States Department of the Interior

NATIONAL PARK SERVICE  
Homestead National Monument of America  
8523 W. State Hwy 4  
Beatrice, Nebraska 68310-0673  
[www.nps.gov/home](http://www.nps.gov/home)

IN REPLY REFER TO:

June 24, 2014

1.A.1. (HOME)

State Historic Preservation Office  
Nebraska State Historical Society  
PO Box 82554  
Lincoln, NE 68501-2554

CC: Advisory Council on Historic Preservation  
Attn: Katry Harris  
401 F Street NW, Suite 308  
Washington DC 20001-2637

Re: Informal consultation concerning a planned boundary assessment

Dear Mr. Puschendorff:

Homestead National Monument of America (Monument), is planning a boundary assessment in Township 4, Range 5 East, Section 26 in Gage County, Nebraska. The purpose of this project is to complete a Boundary Assessment (BA)/General Management Plan Amendment (GMP-A)/Environmental Assessment (EA) to study extending the boundary of the Monument to include certain parcels. The parcels to be included in this study are the parcels south of the Monument owned by the Friends of Homestead, the Graft parcels south of the Monument, the adjacent Scheeve parcel to the northwest, and the Ensz parcel to the south of the Monument. Please see the attached map of the land parcels being evaluated in this plan.

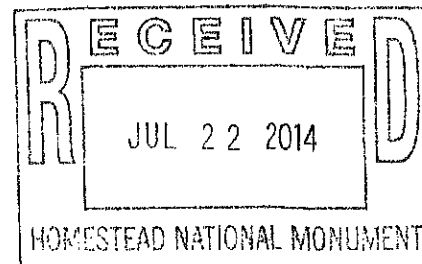
This consultation is in accordance with the Programmatic Agreement among the National Park Service, The Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers for compliance with section 106 of the National Historic Preservation Act section II, Consultation. Future consultation will be sought as the project moves forward.

We intend for this environmental assessment to satisfy the requirements of Section 106 of the National Historic Preservation Act in accordance with 36 C.F.R. § 800.8(c). In addition to notifying you, we will also be notifying the Advisory Council on Historic Preservation as required. The NPS practice has been to incorporate Section 106 into the normal NEPA process of impact assessment. This correspondence is for informational purposes. Should you have any questions please contact me at 402-223-3514 or at [mark\\_engler@nps.gov](mailto:mark_engler@nps.gov).

Sincerely,

Mark Engler  
Superintendent

Enclosure



July 18, 2014

Mark Engler  
Homestead National Monument of America  
8523 West State Highway 4  
Beatrice, NE 68310-0673

RE:

1406-094-01 HOMESTEAD NATIONAL MONUMENT BOUNDARY ASSESSMENT

Dear Mr. Engler:

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, appearing to read "Jill Dolberg".  
Jill E. Dolberg  
Review and Compliance Coordinator  
Nebraska State Historical Society





## United States Department of the Interior

NATIONAL PARK SERVICE  
Homestead National Monument of America  
8523 W. State Hwy 4  
Beatrice, Nebraska 68310-0673  
[www.nps.gov/home](http://www.nps.gov/home)

IN REPLY REFER TO:

May 19, 2014

10.C.HOME

Eliza Hines, Field Supervisor  
U.S. Fish & Wildlife Service  
Ecological Services Office  
230 West Second Street  
Grand Island, Nebraska 68801-5907

Dear Ms. Hines:

Homestead National Monument of America (Monument), is planning a boundary assessment in Township 4, Range 5 East, Section 26 in Gage County, Nebraska. The purpose of this project is to complete a Boundary Assessment (BA)/General Management Plan Amendment (GMP-A)/Environmental Assessment (EA) to study extending the boundary of the Monument to include certain parcels. The parcels to be included in this study are the parcels south of the Monument owned by the Friends of Homestead, the Graft parcels south of the Monument, the adjacent Scheeve parcel to the northwest, and the Ensztel parcel to the south of the Monument. Please see the attached map of the land parcels being evaluated in this plan.

In accordance with Section 7(a) (2) of the Endangered Species Act of 1973, as amended and 50 CFR 402, we are asking you to notify us of any threatened or endangered species, and any species of concern that may be found in the parcels under consideration.

We have reviewed the Federal and State listed species for Nebraska and believe if the boundary of the Monument were to be extended that would not likely jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designed critical habitat. Your list for Nebraska includes a total of 20 threatened, endangered, and candidate species of invertebrates, fishes, reptiles, amphibians, birds, mammals, and plants. The county list from the Nebraska Game and Parks Commission lists two species for Gage County, the Massasauga (*Sistrurus catenatus*) and Western Prairie Orchid (*Platanthera praeclara*). None of those species have been documented within or nearby the Monument.

The Monument is unaware of the existence of any of these species in the adjacent lands. Based upon the review of the species list and the likely impacts from the project, the Monument believes the parcels, if acquired, would likely result in no adverse effects to listed species.

Please respond to Superintendent Mark Engler at 402-223-3514 if you require additional information.

Sincerely,

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

Mark Engler  
Superintendent

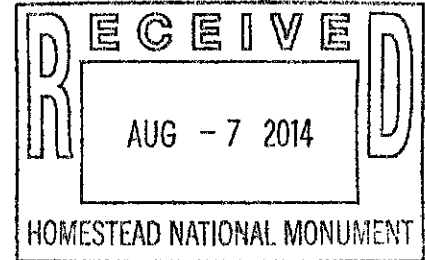


## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

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

August 5, 2014



**FWS-NE: 2014-369**

Mark Engler  
National Park Service  
Homestead National Monument of America  
8523 W. State Hwy 4  
Beatrice, Nebraska 68310

**RE: Homestead National Monument of America boundary assessment near Beatrice,  
Gage County, Nebraska**

Dear Mr. Engler:

This responds to your May 19, 2014, request for comments and concurrence from 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 (FWCA), 3) Bald and Golden Eagle Protection Act (Eagle Act), and 4) Migratory Bird Treaty Act (MBTA). The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations. The project proponent and lead federal agency is responsible for compliance with these federal laws.

The Service has special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian (streamside) woodlands, and grasslands. Special attention is given to proposed developments that include modification of wetlands, stream alteration, loss of riparian habitat, or contamination of habitats. When this occurs, the Service recommends ways to avoid, minimize, or compensate for adverse affects to fish and wildlife and their habitats.

### **ENDANGERED SPECIES ACT (ESA)**

Pursuant to section 7(a)(2) of the Endangered Species Act, every federal agency, shall in consultation with the Service, insure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. If a proposed project may affect federally listed species or designated critical habitat Section 7 consultation is required.

Based on the information you have provided and due to the project type, size, and location, we do not anticipate any impacts on federally listed species, or their critical habitats. Presently, we are considering the actions of a boundary assessment and potential acquisition of properties adjacent to the existing Homestead National Monument of America property boundary. Federally listed species occurring within Gage County include the Western prairie fringed orchid (*Platanthera praeclara*). However, we do not anticipate the occurrence of WPFO within the existing or prospective acquired land. Species proposed for listing under the ESA include rufa red knot (*Calidris canutus rufa*) and Northern long-eared bat. Rufa red knot is unlikely to occur within the project area and therefore is unlikely to be affected. Northern long-eared bats may or may not be present within the project area throughout different times of the year. We have attached a memorandum dated May 12, 2014 which provides the most up to date information regarding the species basic information, habitat and life cycle. Because we are unaware of the potential suite of actions that may occur on the properties if they were acquired, we are unable to determine if those actions would adversely affect NLEB. However, we provide multiple conservation measures within our memorandum that can reduce or eliminate the potential for adverse effects to NLEB. Should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, 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. 33<sup>rd</sup> Street, Lincoln, NE 68503-0370

## **REVIEW, COMMENTS, AND RECOMMENDATIONS ON THE PROPOSED PROJECT ACTION UNDER OTHER FISH AND WILDLIFE STATUTES**

### **Fish and Wildlife Coordination Act (FWCA)**

#### **1. Water Resources**

The FWCA requires consultation with the Service and State fish and wildlife agency for the purpose of giving equal consideration to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. The FWCA requires that federal agencies take into consideration the effect that water related projects may have on fish and wildlife resources, to take action to avoid impact to these resources, and to provide for the enhancement of these resources.

#### **2. Wetlands, Streams, and Riparian Habitats**

If wetlands or streams will be impacted by the proposed project, a Department of the Army permit from the U.S. Corps of Engineers may be needed. The Service will provide FWCA



comments pursuant to a permit application. The Service recommends that impacts to wetlands, streams, and riparian areas be avoided or minimized, in accordance with the Section 404(B)(1) Guidelines of the Clean Water Act. For projects that do not require access or proximity to, or location within aquatic environments (i.e., non-water dependant project) to fulfill its basic project purpose, it is assumed that practicable alternatives exist that would cause less damage to aquatic resources than projects that are located in aquatic ecosystems. In addition to determining the least environmentally damaging practicable alternative, 40 CFR Part 230.10(a) of the Guidelines also states, "... no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences."

If after an alternatives analysis has been completed in accordance with the Guidelines, and unavoidable impacts are to occur to aquatic habitats, the Service recommends that compensation (i.e., restoration of a degraded wetland or creation) occur.

### 3. Animal Passage and Aquatic Biota

Culverts should be constructed at elevations so as to not impede animal/fish movement (i.e. either new culvert installation or culverts used in a temporary crossing). The Service further recommends that the project proponent not alter or install culverts in any way that would result in reductions in current channel width.

To determine if the proposed project may affect fish and wildlife resources of the State of Nebraska under the FWCA, the Service recommends that the project proponent contact Carey Grell, Nebraska Game and Parks Commission, 2200 N. 33<sup>rd</sup> Street, Lincoln, NE 68503-0370.

### **Bald and Golden Eagle Protection Act (Eagle Act)**

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

eagles. If it is determined that either species could be affected by the proposed project, the Service recommends that the project proponent notify this office as well as the Nebraska Game and Parks Commission (Commission) for recommendations to avoid adverse impacts to bald and golden eagles.

### **Migratory Bird Treaty Act (MBTA)**

Under the Migratory Bird Treaty Act, construction activities in grassland, wetland, stream, and woodland habitats, and those that occur on bridges (e.g., which may affect swallow nests on bridge girders) that would otherwise result in the taking of migratory birds, eggs, young, and/or active nests should be avoided. Although the provisions of MBTA are applicable year-round, most migratory bird nesting activity in Nebraska occurs during the period of April 1 to July 15. However, some migratory birds are known to nest outside of the aforementioned primary nesting season period. For example, raptors can be expected to nest in woodland habitats during February 1 through July 15, whereas sedge wrens which occur in some wetland habitats normally nest from July 15 to September 10. The Service recommends that construction activities be scheduled to avoid the primary nesting period. If it is determined that federally listed migratory birds may be affected, please refer to the ESA section of this letter.

The Service appreciates the opportunity to review and comment on the subject project. Should you have questions regarding these comments, please contact Mr. Matt Rabbe within our office at [Matt\\_Rabbe@fws.gov](mailto:Matt_Rabbe@fws.gov) or (308)382-6468, extension 25.

Sincerely,



Kirk Schroeder  
Acting Nebraska Field Supervisor

Enclosure- NLEB Memorandum

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



## United States Department of the Interior



### FISH AND WILDLIFE SERVICE

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

#### Memorandum

To: Federal Agencies, State Agencies and Stakeholders

From: Acting Field Supervisor, U.S. Fish and Wildlife Service, Nebraska Ecological Services Field Office

Subject: Northern long-eared bat (*Myotis septentrionalis*) Proposed Listing -  
**Memorandum Changes May 12, 2014**

The U.S. Fish and Wildlife Service (USFWS) has proposed listing the northern long-eared bat (*Myotis septentrionalis*) (NLEB) under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) and the state of Nebraska is within its known range. The final listing decision for the NLEB is expected in October 2014 and at this time, no critical habitat has been proposed for the species. During the summer, NLEBs typically roost singly or in colonies in cavities, underneath bark, crevices, or hollows in both live and dead trees and/or snags (typically  $\geq 3$  inches diameter at breast height [dbh]). Males and non-reproductive females may also roost in cooler places such as caves and mines. This bat seems opportunistic in selecting roosts, using tree species based on presence of cavities or crevices or the presence of peeling bark. Currently, we have no information that indicates a tree species preference for the NLEB in Nebraska; however, the literature does indicate the NLEB uses trees such as American elm, cottonwood, honey locust, various hickory species, maple, green ash, hawthorn, and oak trees throughout its range (Foster and Kurta, 1999; Carter and Feldhamer, 2005; Timpone et al., 2010). Occasionally, NLEBs have also been documented roosting in man-made structures (i.e., buildings, barns, bridges, etc.) during the summer, particularly when suitable tree roosts are unavailable. They forage for insects over water, forest clearings and under tree canopies in upland and lowland woodlots and tree lined corridors. During the winter, NLEBs predominately hibernate in caves and abandoned mine portals. Additional habitat types may be identified as new information is obtained.

Pursuant to Section 7(a) (4) of the ESA, federal action agencies are required to confer with the USFWS if their proposed action is likely to jeopardize the continued existence of the NLEB (50 CFR 402.10(a)). Action agencies may also voluntarily confer with the USFWS if the proposed action may affect a proposed species. Species proposed for listing are not afforded protection under the ESA; however, as soon as a listing becomes effective, the prohibition against jeopardizing its continued existence and "take" applies regardless of an action's stage of completion. If the agency retains any discretionary involvement or control over on-the-ground actions that may affect the species after listing, section 7 applies and consultation needs to occur.

Therefore, if suitable NLEB habitat is present within the proposed project area, we recommend further coordination with our office to avoid potential project delays should the species be listed. Additional information regarding NLEB and conference procedures can be found at: <http://www.fws.gov/midwest/endangered/mammals/nlba/index.html>

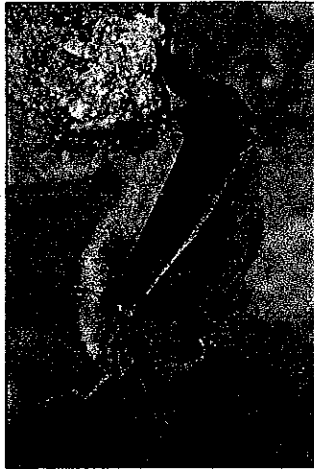


Photo: FWS

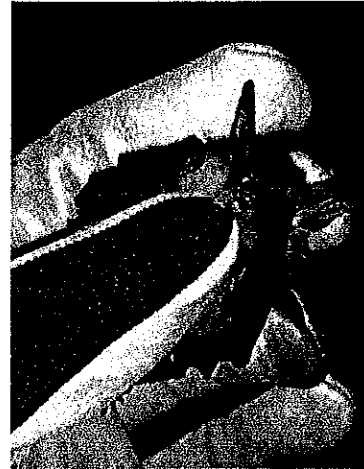


Photo: J. Lackey, 2013

### **Geographic Range in Nebraska**

Currently, there are some data gaps for this species throughout its range. The data available indicates that NLEB concentrations in Nebraska occur in the northern tier of the state along the Niobrara and tributaries and deciduous forests in the eastern third of the state. With more surveys, NLEB likely will be found in other areas of the state, especially those with riparian deciduous forests. Although this species is mostly found in forested areas, it might be found throughout the state in opportunistic roosts during its migration (movements between hibernacula and summer-use areas). Overall, NLEB is not considered to be a long distance migrant (typically 40-50 miles) although known migratory distances vary greatly between 5 and 168 miles. NLEBs are known to use limestone mines near the town of Louisville (Geluso et al., 2004, p. 37) and they are known to use these mines on a year-round basis (Czaplewski et al. 1979, Jones 1964). NLEBs are also known to hibernate in mines along the Platte River southwest of Fontenelle Forest (Czaplewski et al., 1979; Jones et al., 1983). The species is considered to be common in the Fontenelle Forest where it is believed to hibernate locally (Geluso et al., 2004). Use of buildings in the summer has been linked to the increase in geographic range of the NLEB (Barclay and Cash 1985, Fenton 1970, Sparks and Choate 2000) and NLEB have been removed from buildings in Omaha, NE.

## Northern Long-eared Bat Range in Nebraska



**Figure 1. Seasonal time periods of northern long-eared bat in Nebraska**





### **Examples of Conservation Measures for NLEB in Known or Potential Habitat**

At this time, since forested, wooded, and riparian areas are suitable habitat for the NLEB, we recommend that if a project requires tree clearing, these activities be done between October 1<sup>st</sup> and March 30<sup>th</sup> during hibernation so as to avoid direct impacts to the NLEB. Additionally, tree clearing activities within five miles of caves or mines where the NLEB is known to hibernate, should be avoided so as not to impact staging/swarming habitat. If the project requires the removal of trees during the summer maternity season, we recommend that a survey be done by a qualified biologist before any clearing is done. In addition, any project that includes blasting and/or drilling should not occur within one-half mile of caves or mines where NLEB hibernate during the winter. If a project is within one-half mile of caves or mines, a survey should be conducted by a qualified biologist to determine the presence or use of the habitat by NLEB.

Until survey guidance for NLEB is developed, the FWS recommends the use of the Indiana bat summer guidance:

<http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html>.

A list of known qualified biologists is attached at the end of this document. Current USFWS guidance and recommendations for the NLEB can be found at the following link: (<http://www.fws.gov/midwest/endangered/mammals/nlba/pdf/NLEBinterimGuidance6Jan2014.pdf>).

Survey guidance protocols can be found in Appendix B of the NLEB interim guidance document.

### **Guidance for Avoiding Impacts to NLEBs**

The following is a list of recommended conservation measures for the NLEB. These conservation measures are considered measures that contribute to the conservation of the NLEB and include, but are not limited to, avoidance measures, minimization measures, mitigation measures, and proactive measures. The basis for these suggestions come from the current knowledge of NLEB and the USFWS' experience with the Indiana bat, and may change in the future as we learn more about the specific needs of the NLEB. If you would like to discuss these conservation measures or would like further information on the proposed listing please contact Mrs. Lourdes Mena within our office at [Lourdes\\_Mena@fws.gov](mailto:Lourdes_Mena@fws.gov) or (308) 382-6468 extension 23.

### **Tree Clearing**

- *Avoid killing or injuring the NLEB during tree clearing activities*

Do not clear maternity colony summer habitat during the summer maternity season to avoid direct effects to females (pregnant, lactating, and post-lactating) and juveniles (non-volant and volant [flying]). Avoid tree clearing from **April 1<sup>st</sup> – September 30<sup>th</sup>**.

For areas being cleared of five or less trees, the effects of the activity are considered "insignificant and discountable" and the project may proceed.

- *Minimize other direct effects to the NLEB*

Avoid clearing of summer habitat during the time of year when females are pregnant or the pups are non-volant (April 1<sup>st</sup> – September 30<sup>th</sup>).

Avoid conducting construction activities after sunset in known or suitable summer habitat to avoid harassment of foraging NLEBs.

- *Maintain summer maternity habitat*

Retain and avoid impacting potential roost trees, which includes live or dead trees and snags  $\geq 3$  inches dbh, which have exfoliating bark, cracks, crevices, or cavities. Do not remove trees surrounding potential roosts to maintain the microclimate.

Where possible and not a safety hazard, leave dead or dying trees standing.

Avoid reducing the suitability of forest patches with known NLEB use.

Maintain or improve forest patches and forested connections (e.g., hedgerows, riparian corridors) between patches.

Avoid/minimize tree clearing that fragments large forested areas or tree lined corridors. For example, route linear features along the edge of a woodlot instead of through the middle of it; use horizontal directional drilling for pipeline crossings of wooded stream corridors and upland tree lines.

- *Avoid disturbing/killing/injuring NLEBs during spring staging/fall swarming*

Avoid clearing of suitable spring staging and fall swarming habitat within a five-mile radius of known or assumed NLEB hibernacula during the staging and swarming seasons.

- *Maintain spring staging/fall swarming forested habitat within a five-mile radius of known or assumed NLEB hibernacula*

Retain snags, dead/dying trees, and trees with exfoliating (loose) bark  $\geq 3$ -inch dbh in areas  $\leq$  one mile from water.

Minimize impacts to all forest patches.

Maintain forest patches and forested connections (e.g., hedgerows, riparian corridors) between patches.

Maintain natural vegetation between forest patches/connections and developed areas.

### **Bridge Construction and Demolition**

- *Conduct humane exclusion of the NLEB in structures*

Prior to the initiation of any construction activities on bridges, including the removal of any bridge structures, we recommend the underside of each bridge be carefully examined for the presence of bats. If any bats are found roosting in the bridge, contact your state FWS office. The use of existing Indiana bat protocols for bridge inspections is recommended.

### **Prescribed Burning**

- *Avoid disturbing/killing/injuring NLEBs during spring staging/fall swarming*

Activities involving continued (i.e., longer than 24 hours) noise disturbances greater than 75 decibels measured on the A scale (e.g., loud machinery) within a five-mile radius of known or assumed NLEB hibernacula, should be avoided during the spring staging and fall swarming seasons.

During spring staging and fall swarming, use tanks to store waste fluids to ensure no loss of bats by entrapment in waste pits within five miles of known or presumed hibernacula or assumed NLEB hibernacula.

Avoid prescribed burning or other sources of smoke in known or assumed NLEB habitat during the swarming/staging or hibernation season, or coordinate with the local USFWS office.

### **Definitions**

**Home range:** Areas that include maternity, foraging, roosting, and commuting habitat, typically occurring within three miles of a documented capture record or a positive identification of NLEB from properly deployed acoustic devices, or within 1.5 miles of a known suitable roost tree.

**Known habitat:** Areas known to be used by NLEBs. (1) All suitable habitat located within five miles of a documented hibernaculum; (2) All suitable habitat located within three miles of a documented NLEB capture record; (3) All suitable habitat located within 1.5 miles of a documented maternity roost tree; (4) Hibernacula with known NLEB occurrences or is otherwise identified by the USFWS as important to future NLEB recovery efforts.

**Maternity habitat:** Suitable summer habitat used by juveniles and reproductive (pregnant, lactating, or post-lactating) females. Maternity foraging and roosting habitat typically occurs within three miles of a documented maternity capture record or a positive identification of NLEB from properly deployed acoustic devices, or 1.5 miles of a suitable roost tree that has been documented as a maternity roost tree.

**Occupied habitat:** Known and suitable habitat that is expected or presumed to be in use by NLEBs at the time of impact. See Table 1 in Appendix D for estimated occupancy dates.

**Suitable habitat:** Summer and/or winter habitat that is appropriate for use by NLEB.

**Suitable winter habitat** (hibernacula) is restricted to underground caves and cave-like structures (e.g. abandoned mines, railroad tunnels). These hibernacula typically have large passages with significant cracks and crevices for roosting; relatively constant, cooler temperatures (0-9 degrees C) and with high humidity and minimal air currents.

**Suitable summer habitat** for NLEB consists of the variety of forested/wooded habitats where they roost, forage, and travel. This includes forested patches as well as linear features such as fencerows, riparian forests and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Isolated trees are considered suitable habitat when they exhibit the characteristics of a suitable roost tree and are less than 1000 feet from the next nearest suitable roost tree, woodlot, or wooded fencerow.

**Suitable spring staging/fall swarming habitat** for NLEBs consists of the variety of forested/wooded habitats where they roost, forage, and travel within five miles of a hibernaculum. This includes forested patches as well as linear features such as fencerows, riparian forests and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Isolated trees are considered suitable habitat when they exhibit the characteristics of a suitable roost tree and are less than 1000 feet from the next nearest suitable roost tree, woodlot, or wooded fencerow.

**Suitable roost tree:** During summer NLEBs roost singly or in colonies in cavities, underneath bark, crevices, or hollows of both live and dead trees and snags, typically  $\geq 3$  inches dbh.

**Unoccupied habitat:** refers to suitable habitat not expected to be in use by NLEBs at the time of impact.

## **References**

- Barclay, R M. R, and K. J. Cash. 1985. A noncommensal maternity roost of the little brown bat (*Myotis lucifugus*). *Journal of Mammalogy* 66: 782-783.
- Carter, T.C., and G.A. Feldhamer. 2005. Roost tree use by maternity colonies of Indiana bats and northern long-eared bats in southern Illinois. *Forest Ecology and Management* 219: 259-268.
- Czaplewski, N. J., J. P. Farney, J. K Jones, Jr., and J. D. Druecker. 1979. Synopsis of bats of Nebraska. Occasional Papers, *The Museum, Texas Tech University* 61: 1-24.
- Fenton, M. B. 1970. Population studies of *Myotis lucifugus* (Chiroptera: Vespertilionidae) in Ontario. *Life Sciences Contributions, Royal Ontario Museum* 77: 1-34.
- Foster, R.W., and A. Kurta. 1999. Roosting ecology of the northern bat (*Myotis septentrionalis*) and comparisons with the endangered Indiana bat (*Myotis sodalis*). *Journal of Mammalogy* 80: 659-672.
- Jones, D. M. Armstrong, R. S. Hoffmann, and C. Jones. 1983. Mammals of the Northern Great Plains. Lincoln, University Nebraska Press: 379 pp.

Keeley, B. W. and M. D. Tuttle. 1999. Bats in American bridges. Resource Publication No. 4  
Austin, Texas Bat Conservation International.  
<http://www.batcon.org/pdfs/bridges/BatsBridges2.pdf>

Geluso, Kenneth N.; Benedict, Russell A.; and Kock, Francis L., (2004). Seasonal Activity and Reproduction in Bats of East-Central Nebraska. *Transactions of the Nebraska Academy of Sciences and Affiliated Societies*. Paper 10.  
<http://digitalcommons.unl.edu/tnas/10>

Sparks, D. W., and J. R Choate. 2000. Distribution, natural history, conservation status, and biogeography of bats in Kansas. In: J. R Choate (ed.), *Reflections of a Naturalist: Papers Honoring Professor Eugene D. Fleharty*. Hays, Kansas, Fort Hays Studies, Special Issue 1: 173-228.

Timpone, J.C., J.G. Boyles, K.L. Murray, D.P. Aubrey, and L.W. Robbins. 2010. Overlap in roosting habits of Indiana bats (*Myotis sodalis*) and Northern bats (*Myotis septentrionalis*). *American Midland Naturalist* 163: 115-123.

U.S. Fish and Wildlife Service. 2014. Northern Long-Eared Bat Interim Conference and Planning Guidance. 67pp  
<http://www.fws.gov/midwest/endangered/mammals/nlba/pdf/NLEBinterimGuidance6Jan2014.pdf>

#### **List of Known Qualified Biologists for Northern long-eared bat Surveys**

- |  |   |
|--|---|
| 1. Jeremy White<br>402-554-3294<br>Omaha, NE<br><a href="mailto:jeremywhite@unomaha.edu">jeremywhite@unomaha.edu</a> | 4. Patricia Freeman<br>402-472-6606<br>Lincoln NE<br><a href="mailto:pfreeman1@unl.edu">pfreeman1@unl.edu</a>       |
| 2. Keith Geluso:<br>308-865-8548<br>Kearney, NE<br><a href="mailto:gelusok1@unk.edu">gelusok1@unk.edu</a>            | 5. Russ Benedict<br>641-628-5173<br>Pella, Iowa<br><a href="mailto:benedictr@central.edu">benedictr@central.edu</a> |
| 3. Cliff Lemen<br>402-472-3471<br>Lincoln NE<br><a href="mailto:clemen2@unl.edu">clemen2@unl.edu</a>                 | 6. Ken Geluso<br><a href="mailto:kgeluso@unomaha.edu">kgeluso@unomaha.edu</a>                                       |
|  | 7. Jason Damm<br>Terre Haute, Indiana<br><a href="mailto:jdamm1@ivytech.edu">jdamm1@ivytech.edu</a>                 |





## United States Department of the Interior

NATIONAL PARK SERVICE  
Homestead National Monument of America  
8523 W. State Hwy 4  
Beatrice, Nebraska 68310-0673  
[www.nps.gov/home](http://www.nps.gov/home)

August 8, 2014

Michelle Koch, Environmental Analyst Supervisor  
Nebraska Game and Parks Commission  
2200 N. 33<sup>rd</sup> Street  
Lincoln, NE. 68503-0370

CC: Carey Grell

Dear Ms. Koch:

Homestead National Monument of America (Monument), is planning a boundary assessment in Township 4, Range 5 East, Section 26 in Gage County, Nebraska. The purpose of this project is to complete a Boundary Assessment (BA)/General Management Plan Amendment (GMP-A)/Environmental Assessment (EA) to study extending the boundary of the Monument to include certain parcels. The parcels to be included in this study are the parcels south of the Monument owned by the Friends of Homestead, the Graft parcels south of the Monument, the adjacent Scheeve parcel to the northwest, and the Ensz parcel to the south of the Monument. Please see the attached map of the land parcels being evaluated in this plan.

In accordance with the Nebraska Nongame and Endangered Species Conservation Act, we are asking you to notify us of any threatened or endangered species, and any species of concern that may be found in the parcels under consideration.

We have reviewed the State listed species for Nebraska and believe if the boundary of the Monument were to be extended that would not likely jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designed critical habitat. The Gage County list from the Nebraska Game and Parks Commission lists two species, the Massasauga (*Sistrurus catenatus*) and Western Prairie Orchid (*Platanthera praeclara*). None of those species have been documented within or nearby the Monument.

The Monument is unaware of the existence of any of these species in the adjacent lands. Based upon the review of the species list and the likely impacts from the project, the Monument believes the parcels, if acquired, would likely result in no adverse effects to listed species.

Please respond to Superintendent Mark Engler at 402-223-3514 if you require additional information.

Sincerely,

*Mark Engler*

Mark Engler  
Superintendent

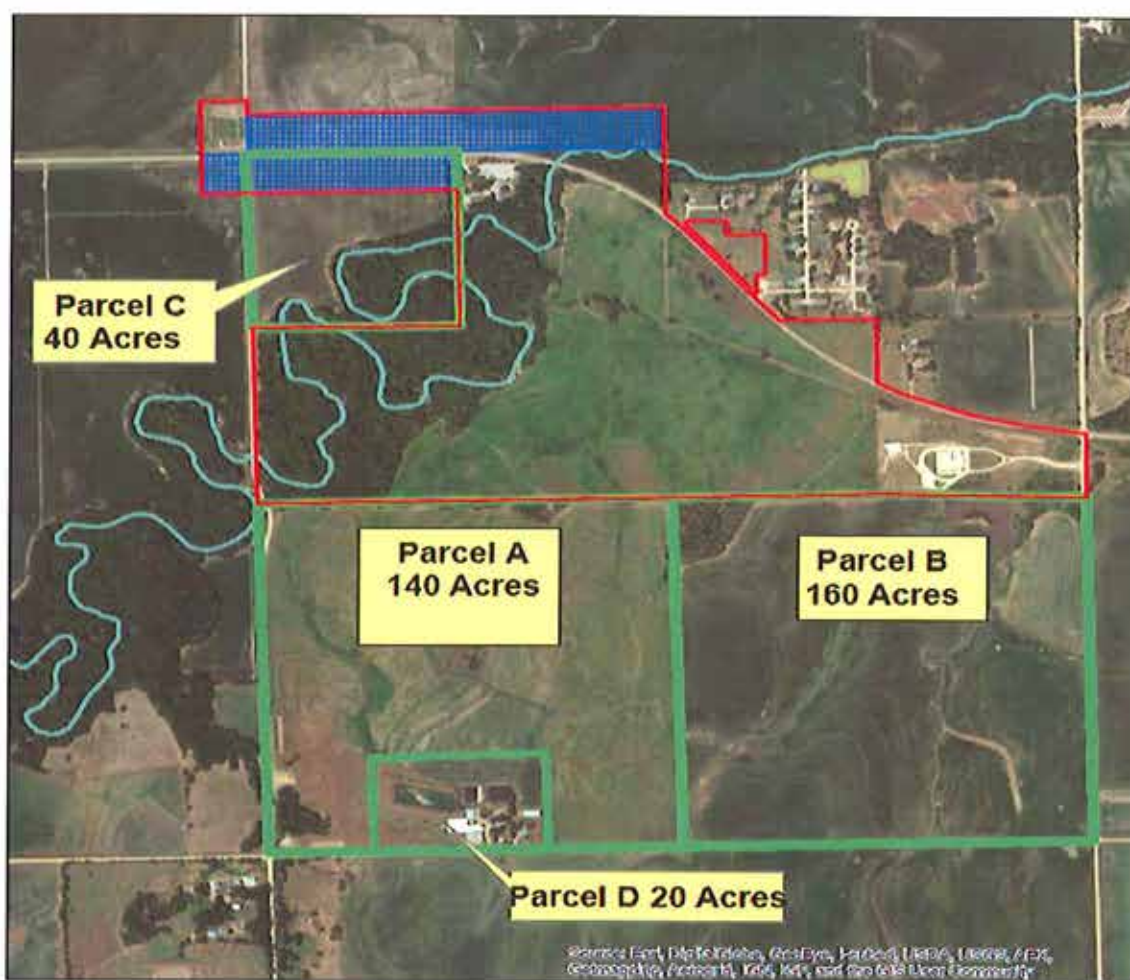


Figure: Existing Monument Boundary and Parcels Evaluated for Inclusion



**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

August 26, 2014

Mark Engler  
National Park Service  
Homestead National Monument of America  
8523 W. State Hwy 4  
Beatrice, Nebraska 68310

**RE:     Boundary Assessment for Homestead National Monument of America located in Gage County  
         Nebraska**

Dear Mr. Engler:

Nebraska Game and Parks Commission (NGPC) staff members have reviewed the information for the proposal identified above. The proposed project will not impact any NGPC State Park, State Recreation Area, or State Wildlife Management Areas, as none are located in the immediate project area.

Based on our review of the information provided, aerial photographs, and the Nebraska Natural Heritage database, we agree with your letter that the proposed project will have no adverse effects to state-listed species or their habitat. Therefore, we have no objections to the project as proposed.

If any of the newly acquired area is developed in the future, please contact us and we can provide updates to you on any changes in our species database. Thank you for the opportunity to review this proposal. If you have any questions regarding these comments, please contact me at (402) 471-5422 or [frank.albrecht@nebraska.gov](mailto:frank.albrecht@nebraska.gov).

Sincerely,

A handwritten signature in black ink that reads "Frank J. Albrecht". The signature is written in a cursive style with a large, stylized "F" and "A".

Frank Albrecht  
Assistant Division Administrator  
Planning and Programming Division





# United States Department of the Interior

NATIONAL PARK SERVICE  
Homestead National Monument of America  
8523 W. State Hwy 4  
Beatrice, Nebraska 68310-0673  
[www.nps.gov/home](http://www.nps.gov/home)

IN REPLY REFER TO:

June 24, 2014

1.A. (HOME)

Chairman John R. Shotton  
Otoe-Missouria Tribe  
8151 Hwy 177  
Red Rock, OK 74058

Re: Informal consultation concerning a planned boundary assessment

Dear Mr. Shotton:

Homestead National Monument of America (Monument), is planning a boundary assessment in Township 4, Range 5 East, Section 26 in Gage County, Nebraska. The purpose of this project is to complete a Boundary Assessment (BA)/General Management Plan Amendment (GMP-A)/Environmental Assessment (EA) to study extending the boundary of the Monument to include certain parcels. The parcels to be included in this study are the parcels south of the Monument owned by the Friends of Homestead, the Graft parcels south of the Monument, the adjacent Scheeve parcel to the northwest, and the Ensz parcel to the south of the Monument. Please see the attached map of the land parcels being evaluated in this plan.

This consultation is in accordance with the Programmatic Agreement among the National Park Service, The Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers for compliance with section 106 of the National Historic Preservation Act section II. A: Consultation with Federally Recognized Indian Tribes and THPOS, and Native Hawaiian Organizations. Future consultation will be sought as the project moves forward.

We intend for this environmental assessment to satisfy the requirements of Section 106 of the National Historic Preservation Act in accordance with 36 C.F.R. § 800.8(c). In addition to notifying you, we will also be notifying the Advisory Council on Historic Preservation as required. The NPS practice has been to incorporate Section 106 into the normal NEPA process of impact assessment. This correspondence is for informational purposes. Should you have any questions please contact me at 402-223-3514 or at [mark\\_engler@nps.gov](mailto:mark_engler@nps.gov).

Sincerely,

Mark Engler  
Superintendent

Enclosure

## References

Chimner, Rodney A. and Sigrid C. Resh, "Analyzing Water Isotopes in Mesic Bur Oak Forest, Homestead National Monument, Nebraska." Houghton, MI: Michigan Technological University School of Forest and Environmental Sciences, 2010.

National Park Service. Homestead National Monument of America General Management Plan, 1999.

National Park Service. Cultural Landscape Report, Homestead National Monument of America, 2000.

National Park Service. Cultural Landscape Inventory, Homestead National Monument of America, 2011.

National Park Service. Homestead National Monument of America Foundation Document (draft), September 2014.

National Park Service. *Management Policies*, 2006.

NatureServe. "*Quercus macrocarpa* / *Andropogon gerardii* - *Panicum virgatum* Woodland comprehensive report." NatureServe Explorer: an online encyclopedia of life. NatureServe: Arlington, VA, 2006. Available online at <http://www.natureserve.org/explorer> [Accessed 2006].

Nebraska Department of Environmental Quality. Integrated Water Quality Report, 2014.

Rolfsmeier, Steven B. "Homestead National Monument of America: Bur Oak Forest Restoration Plan: Reference Condition and Management Considerations." Chadron, NE: High Plains Herbarium, Chadron State College, 2007.

Steinauer, G. & S.B. Rolfsmeier. "Terrestrial natural communities of Nebraska, version III." Lincoln, NE: Nebraska Natural Heritage Program, Nebraska Game & Parks Commission, 2003.

*Image Credits: NPS*





View of the Monument; the Osage orange hedgerow is on the left, the restored prairie is on the right.

