

NEBRASKA

Good Life. Great Resources.

DEPT. OF ENVIRONMENT AND ENERGY

CLEAN WATER STATE REVOLVING LOAN FUND PROGRAM

CATEGORICAL EXCLUSION

TO: All Interested Citizens, Government Agencies, and Public Groups

In accordance with the Nebraska Clean Water State Revolving Fund environmental review process, which is based on the National Environmental Policy Act, an environmental review has been performed on the proposed agency action below:

This information reviews the environmental impact likely from a project. This project is planned to be federally funded wholly or in part through your tax dollars; therefore, you are entitled to take part in its review. If you have concerns about the environmental impact of this project, please provide them at this time. The Nebraska Department of Environment and Energy (NDEE) encourages public input in this decision-making process.

PROJECT NAME: Lewis & Clark Lake Bank Stabilization
APPLICANT: Sanitary and Improvement District No. 1, Knox County, Nebraska (Kohles Acres)
COUNTY: Knox
POPULATION: 170 (estimate)
NDEQ ID NO.: 65614
CWSRF PROJECT NUMBER: C318019
TOTAL PROJECT AMOUNT: \$729,300
ESTIMATED CWSRF LOAN AMOUNT: \$729,300

The SID needs to stabilize an eroding bank along the Lewis & Clark Lake near Kohles Acres. The SID has applied for financial assistance through the Clean Water State Revolving Fund (CWSRF) loan program to fund the project. The project is located approximately 6.5 miles west of the Gavin's Point Dam and on the south banks of the Lewis & Clark Lake. Wave action along the shoreline has eroded these banks over time and corrective action is required. The scope of work includes the installation of a rip-rap revetment of the shoreline for approximately 1,300 linear feet. The rip-rap that will be used will be a Class C rip-rap, along with a geotextile fabric underneath. The soils at the bottom of the revetment will be excavated to key in the rip-rap. All excavation material will be used to back slope the rip-rap up into the existing bank.

The project will have a positive impact on the environment. The project will result in the protection and continued wastewater treatment of the SID's wastewater treatment utilities, which are threatened by the erosion of the lake's bank. Failure of such a system could have a detrimental impact to the local environment and human health.

The project is eligible for financing through the CWSRF and is currently listed on the CWSRF SFY2019 Intended Use Plan, Appendix B1-a "CWSRF LIST OF NEBRASKA COMMUNITIES, NRDs, SIDs, and COUNTIES". The SID qualifies for a 20 year loan at a program interest rate of 1.5 percent. In addition to principal and interest payments, an administrative fee of 0.5 percent of the loan balance would be assessed each year.

Property tax would be pledged to repay the loan. The SID has approximately 71 sewer connections which would be assessed by a bond tax levy by the County Treasurer for repayment of a CWSRF loan principal of \$729,300. The anticipated first year repayment (including principal repayment, interest repayment, administration fee repayment, and a required 10% loan coverage factor) is \$50,546. This includes a loan required 10% coverage factor for delinquencies or loss of users. Annual property tax assessments are estimated at approximately \$712 per user.

The Board of Trustees of Kohles Acres held a public hearing for the bank stabilization project on October 18, 2019 with notice being provided to the community via the Crofton Journal on September 19, 2019, and September 26, 2019. In addition, on January 15, 2020, Knox County SID#1 received a temporary construction license from the Corps of Engineers for the project.

The proposed project was reviewed for eligibility for a categorical exclusion from the National Environmental Policy Act review specified in 40 CFR (Code of Federal Regulations) Part 6.204. The project meets all criteria described in the above reference and the Department has determined that this project is eligible for a categorical exclusion. Consequently, a preliminary decision has been made that a Finding of No Significant Impact will not be prepared. The project, as proposed, is solely directed toward the stabilization of the Lewis & Clark Lake bank near Kohles Acres.

Justification for categorical exclusion includes:

- The proposed action is not known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time;
- The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat;
- The proposed action is not known or expected to significantly affect national natural landmarks or any property with nationally significant historic, architectural, prehistoric archeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places;
- The proposed action is not known or expected to significantly affect environmentally important natural resource areas as wetlands, floodplains, prime farmland, wild and scenic rivers, and significant fish or wildlife habitat;
- The proposed action is not known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population including altering the character of existing residential areas, or may not

be inconsistent with state or local government, or federally-recognized Indian Tribe approved land use plans or federal land management plans.

- The proposed action is not known or expected to cause significant public controversy about a potential environmental impact of the proposed action.

This action is taken on the basis of careful review of the application and other supporting data, which are on file in the office of the NDEE. These are available for public review upon request. Persons having a comment on this categorical exclusion determination are encouraged to submit such comments directly to John Danforth, Project Manager, of the Technical Assistance Section of NDEE, who can be reached at (402) 471-3373 or by email at john.r.danforth@nebraska.gov.

Signed this 4th day of March, 2020.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Macy", is written over the typed name and title.

Jim Macy
Director

Attachments: Distribution List
Maps

CATEGORICAL EXCLUSION DISTRIBUTION LIST

KNOX COUNTY, SID NO. 1, NEBRASKA

DEPARTMENT OF ENVIRONMENTAL
QUALITY
Office of Public Affairs
P.O. Box 98922
Lincoln, NE 68509-8922

Omaha, NE 68102-4226
USDA RURAL DEVELOPMENT
Marty Norton
Room 308, Federal Building
100 Centennial Mall North
Lincoln, NE 68508

DEPARTMENT OF HEALTH AND HUMAN
SERVICES - REGULATION AND LICENSURE
Steve McNulty
P.O. Box 95026
Lincoln, NE 68509-5026

ENVIRONMENTAL PROTECTION AGENCY
Christopher Simmons/Kelly Beard-Tittone
11201 Renner Blvd
Mail Code: WWPDWIMB
Lenexa, KS

DEPARTMENT OF NATURAL RESOURCES
Mitch Paine
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Lincoln, NE 68509-4676

STATE CONSERVATIONIST
Natural Resources Conservation Service
Federal Building, Room 345
100 Centennial Mall North
Lincoln, NE 68508

NEBRASKA GAME & PARKS COMMISSION
Craig Wacker/Carey Grell
P.O. Box 30370
Lincoln, NE 68503-0370

DEPARTMENT OF THE ARMY
John Moeschel
State Program Manager
US Army corps of Engineers
Nebraska State Office, Suite 1
8901 South 154th Street
Omaha, NE 68138-3621

DIRECTOR, NEBRASKA STATE
HISTORICAL SOCIETY
P.O. Box 82554
Lincoln, NE 68508-2554

STATE OFFICE OF POLICY RESEARCH
Policy Advisor
Rm 1319, State Capitol
P.O. Box 94601
Lincoln, NE 68509-4601

APPLICANT:
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Knox County SID No. 1
3703 133rd Street
Urbandale, IA 50323

DEPARTMENT OF ECONOMIC DEVELOPMENT
Steve Charleston
P.O. Box 94666
Lincoln, NE 68509

CONSULTING ENGINEER:
Dexter Mahrt
Stockwell Engineers
801 N. Phillips Suite 100
Sioux Falls, SD 57104

DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
Eliza Hines
9325 South Alda Road
Wood River, NE 68883

LOCAL NEWSPAPER
Crofton Journal
108 W. Main
Crofton, NE 68730
(Public Information Only not for Public Notice)

NATIONAL PARK SERVICE
Nick Chevance
Environmental Coordinator
Midwest Regional Office
601 Riverfront Drive

LOWER NIOBRARA, NRD
410 Walnut Street
PO Box 350
Butte, NE 68722

