



## 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 encourages public input in this decision-making process.

**PROJECT NAME:** Rehabilitation and Resealing of the Cells No. 1 & 2 of Oshkosh's Wastewater Lagoon System and Installation of a new Lift Station.

**APPLICANT:** Oshkosh, Nebraska

**COUNTY:** Garden

**POPULATION:** 884 (2010 Census)

**CWSRF PROJECT NUMBER:** C317805

**NDEE ID No.:** 58159

**AWIN SUSTAINABILITY SCORE:** 13

**MEDIAN HOUSEHOLD INCOME:** \$41,250

**TOTAL PROJECT AMOUNT:** \$2,173,800

**ESTIMATED CWSRF LOAN AMOUNT:** \$1,373,800

**CWSRF LOAN FORGIVENESS:** \$150,000

**CWSRF SMALL TOWN GRANT:** \$250,000

**CDBG Grant:** \$400,000

The City of Oshkosh is planning a rehabilitation project for their complete retention Wastewater Lagoon Treatment Facility with a new lift station installation. The City has applied for financial assistance through the Clean Water State Revolving Fund (CWSRF) loan program to fund this project.

Oshkosh's current wastewater treatment system is a three cell complete retention lagoon system constructed in 1978 having a total water surface area of 22 acres. The City has operated all three cells in series but has been unable to keep the minimum water elevation of two feet in the cells and therefore all three cells have grassed over. This is a violation of Nebraska Administrative Code (NAC) Title 123 specifically Chapter 11, Section 008.02, which requires the minimum wastewater depth be kept at two feet for wastewater lagoons in order to keep emergent weed growth from growing and damaging the seal. The three cell lagoon system was sized for a population of 1,076 in 1978, but population has declined since then to 884. Recent wastewater flows were measured by means of a temporary flow meter since currently there is no lift station for the facility. Flows

averaged 75,000 gallons per day, or 85 gallons per capita a day. Oshkosh will only need 13.3 acres for a renovated complete retention facility utilizing precipitation and evaporation factors of 17 and 47 inches per year respectively with limited maximum seepage. NAC - Title 123, Chapter 5, Section 005.01 states seepage rate of wastewater lagoons shall not exceed one-eighth inch per day at the maximum water depth. Seepage permeability tests will be conducted by a soils lab on the sides and floor after reconstruction and compaction to make sure the maximum seepage of 1/8 inch per day is not exceeded. Any areas that do not pass will need to be reworked and retested. Riprap will be installed on the interior slopes of the renovated lagoons along with a 12 inch thick compacted clay liner for the floor and side walls of both cells.

An observation well was installed in 2017 to evaluate if the wastewater in the lagoon cells was influenced by ground water. Weekly readings of the monitoring well were made from March to September and ground water levels were found ½ to one foot above the floor of the lagoons from March through June. The remaining time, July to September, groundwater averaged to one foot below the floor elevation. These values were judged by the Engineer and Utility Operator to follow area precipitation averages and irrigation practices in the North Platte River valley. NAC - Title 123, Chapter 5, Section 005.03 requires the bottom elevation of soil liners for wastewater lagoons to be constructed at least four feet above the seasonal high ground water elevation. This will require fill be brought in or taken from cell no. three's dikes to raise the floor five feet in elevation. A new lift station and valve vault will be constructed to lift flow to the raised floor of the renovated lagoon cells. In addition, 430 feet of damaged 15-inch diameter sanitary sewer will be replaced, along with the demolition of an old mechanical wastewater treatment plant abandoned in the 1970s.

The project is eligible for financing through the CWSRF and is currently found in the SFY2020 Intended Use Plan, funding list ranked at 82 points. Eligible costs include engineering and inspection of the project. Oshkosh's 2016 median household income is \$41,250, and has an Assessing Wastewater Infrastructure Needs (AWIN) risk sustainability score of 13 which does qualify Oshkosh for loan forgiveness. Loan Forgiveness is capped at \$150,000 and is dependent on the availability of funds. The City is also eligible for CWSRF Small Town Grant which is capped \$250,000, and dependent on availability of funds. The CWSRF loan will be at a term of 30 years 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 outstanding principal balance would be assessed each year.

Sewer use fees would be pledged to repay the loan. Current residential sewer use rates are a flat rate of \$10.00 per month. The City of Oshkosh has approximately 434 combined residential and commercial sewer connections. Sewer rates would need to be raised by \$15.00 per month to cover the debt service and a 10% coverage requirement. This would equate to an average projected residential sewer rate of approximately \$25.00 per month.

A request for comment was sent by the City's Engineer to 25 other federal and state agencies and tribal councils. The Nebraska Game and Parks Commission commented that the project should comply with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act since the project lies along the riparian area of the North Platte River. The only other environmental issue identified was that Oshkosh's existing lagoon system lies within the 100 year flood plain. The top of dikes and lift station deck are required to be one foot above the 100 year flood plain elevation. These will be checked during development of plans and specifications and new dike tops and lift station deck will be designed at the required flood proof elevation.

NDEE reviewed the proposed project for eligibility for a categorical exclusion from 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 rehabilitation of the existing lagoons of Oshkosh's complete retention wastewater lagoon system and construction of a new lift station and other wastewater system improvements.

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. No significant increases in odors are expected;
- 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 lagoon and lift station project site is located in a designated 100-year flood plain for the unincorporated areas of Garden County. The lagoon top of dikes and top of lift station deck will be flood proofed according to Nebraska Department of Natural Resources (NDNR) requirements by being elevated one foot above the 100 year flood elevation;
- 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 project does not discriminate against any segment of the community's population;
- The proposed action is not known or expected to cause significant public controversy.

The Nebraska Department of Environment and Energy shall revoke the categorical exclusion and shall require a full environmental review if, subsequent to the granting of exclusion, the state determines that the proposed project no longer meets the requirements for a categorical exclusion due to changes in the proposed project; or new evidence reveals that serious local or environmental issues exist; or federal, state, local, or tribal laws are being violated.

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 Tom Fuenning, Review Engineer, of the Technical Assistance Section of NDEE, who can be reached at (402) 471-4989 or email: [tom.fuenning@nebraska.gov](mailto:tom.fuenning@nebraska.gov), or John Danforth, Program Manager, of the Financial Assistance Section of NDEE, who can be reached at (402) 471-3373 or email: [john.danforth@nebraska.gov](mailto:john.danforth@nebraska.gov).

Signed this 24<sup>th</sup> day of October, 2019.

Sincerely,



Jim Macy  
Director

JM/tsf

Attachments: Distribution List  
Maps

- a. Figure 1.1, Location Map
- b. Figure 1.3, Effective Flood Zone
- c. Figure 2.2, Existing Waste Stabilization Ponds

CATEGORICAL EXCLUSION DISTRIBUTION LIST  
OSHKOSH, NEBRASKA

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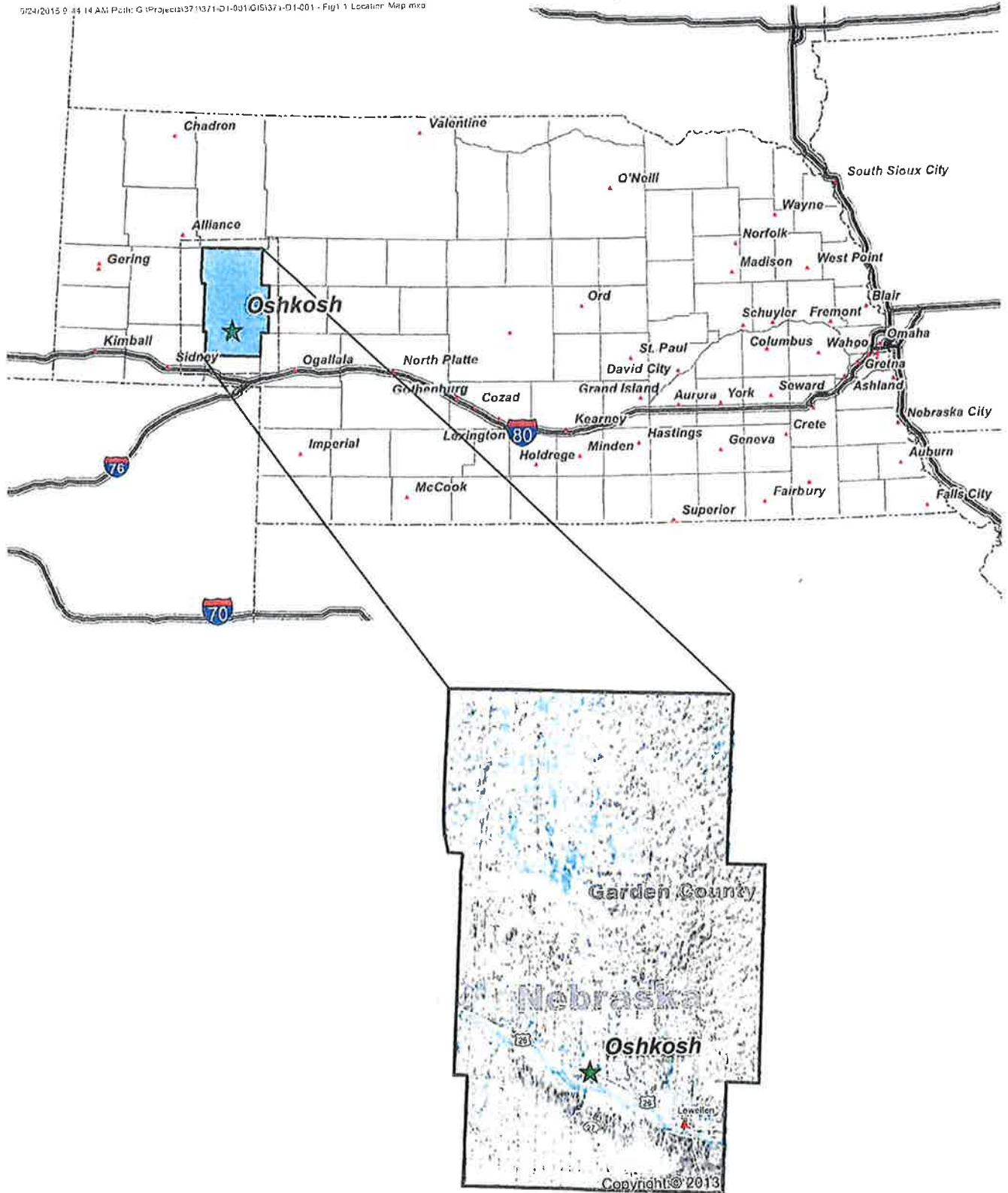
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US Army corps of Engineers  
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LOCAL NEWSPAPER  
Garden Co. News  
204 Main  
Oshkosh, NE 69154  
(Public Information Only not for Public Notice)

NORTH PLATTE NRD  
100547 Airport Rd.  
Scottsbluff, NE 69363



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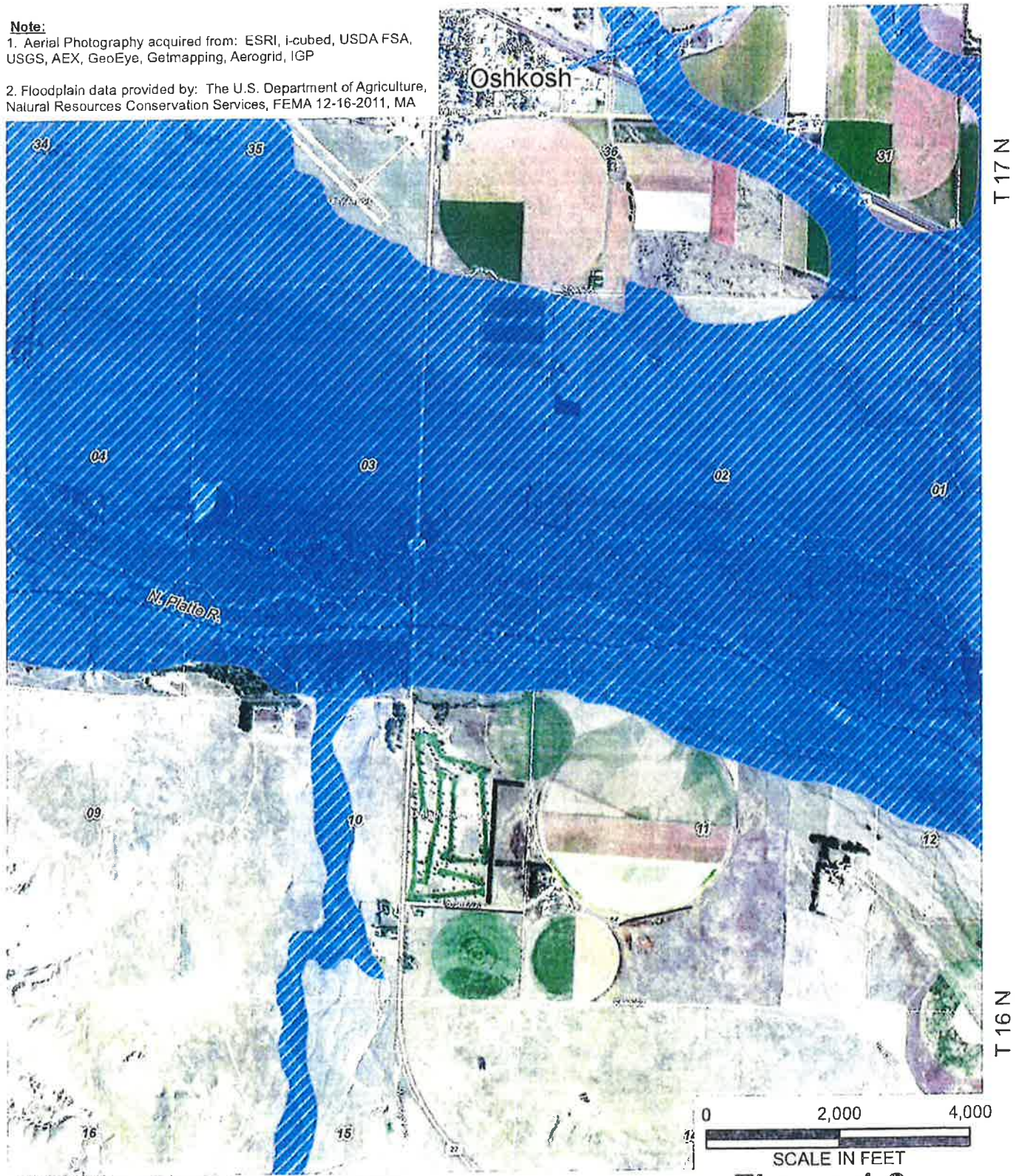
**Figure 1.1**  
**Location Map**  
Project 371-D1-001  
Garden County, Nebraska

R 44 W

**Note:**

1. Aerial Photography acquired from: ESRI, i-cubed, USDA FSA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGP



2. Floodplain data provided by: The U.S. Department of Agriculture, Natural Resources Conservation Services, FEMA 12-16-2011, MA



9/23/2016 11:41:21 AM Path: G:\Projects\371-D1-001\GIS\371-D1-001 - Fig 1.3 Flood.mxd

**LEGEND**

**Flood Zone**

-  1.0% annual flood chance (100-year)
-  0.2% annual flood chance (500-year)

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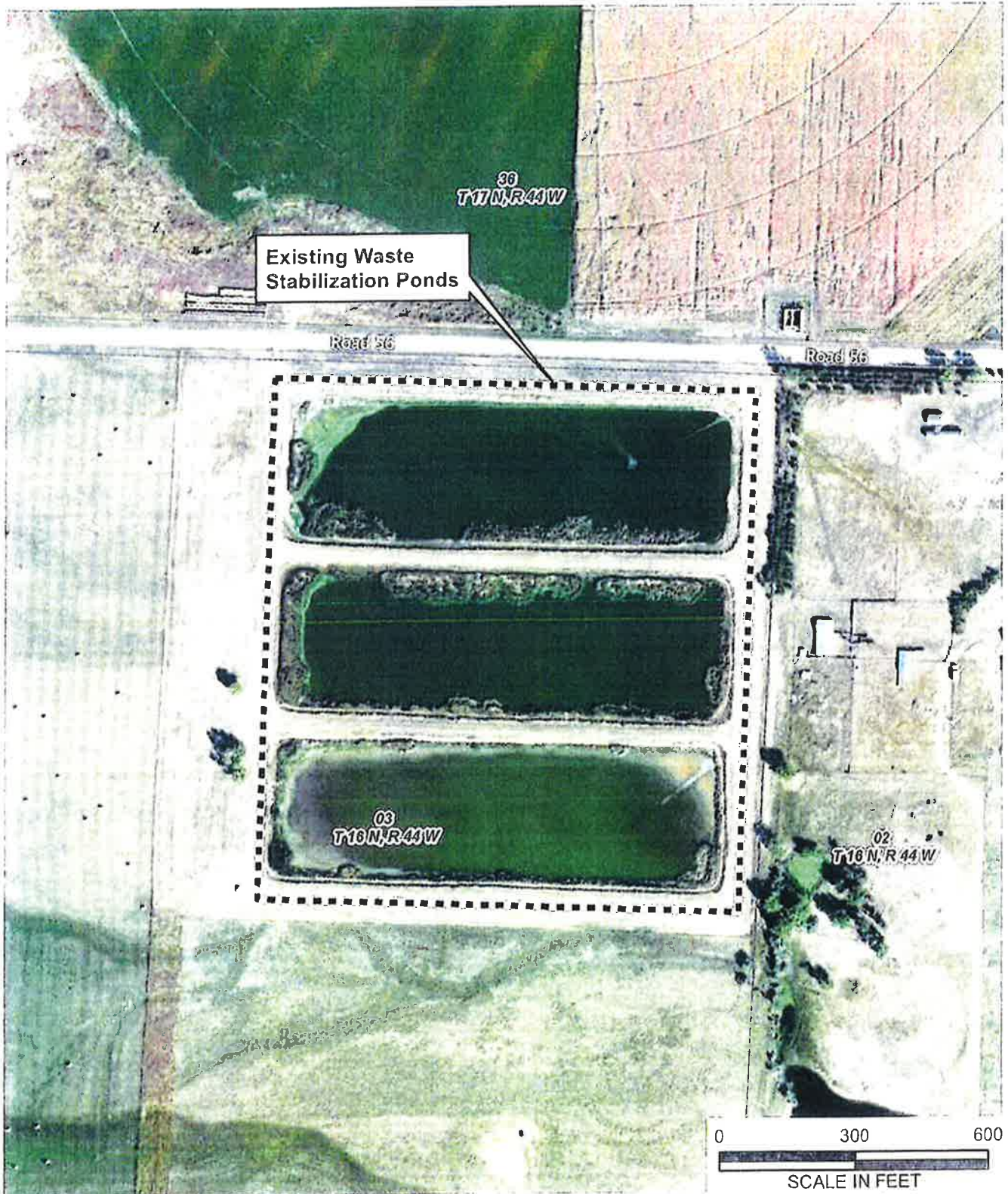
**Figure 1.3**

**Effective**

**Flood Zone**

Project 371-D1-001  
Oshkosh, Nebraska

R 44 W



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**Note:**

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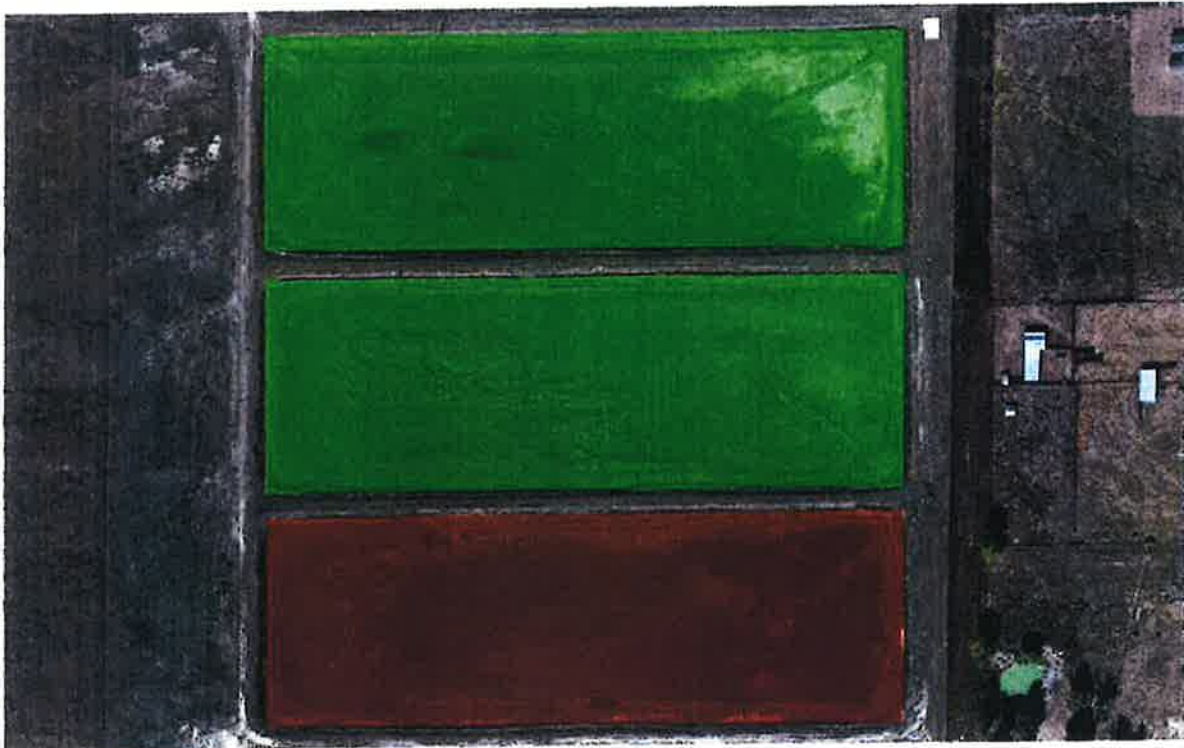
**Figure 2.2**  
**Existing Waste**  
**Stabilization Ponds**  
 Project 371-D1-001  
 Oshkosh, Nebraska



#### 4.2.2.3 Map

With the proposed alternative, the City will abandon the Cell #3 (the southernmost cell) and raise Cells #1 and #2. The area is identified in *Figure 4.3 – Map of Reconstruction Using Fill*

**Figure 4.3**  
**MAP OF RECONSTRUCTION USING FILL**



The areas shaded in green are the 2 cells which will be used for this alternative. It is recommended to raise Cell #1 and Cell #2 a total of 5 feet in order to increase separation of the liner with groundwater. The area shaded in red is Cell #3 which will be abandoned with this project as the City only needs approximately 13.3 acres to treat a design flow of 75,000 gpd.

#### 4.2.2.4 Environmental Impacts

The top of dike elevation of any new facility must be constructed a minimum of 1 foot above the 100-year flood level or Base Flood Elevation (BFE). The BFE is defined as the calculated water surface elevation during a storm with a 1% annual probability of being equaled or exceeded. Again *Figure 1.3 (Section 1)* identifies the effective flood zone for the area of Oshkosh. It is assumed for completion of this study that the existing facility elevation and