



DEPT. OF ENVIRONMENT AND ENERGY

**DRINKING WATER STATE REVOLVING LOAN FUND PROGRAM
FINDING OF NO SIGNIFICANT IMPACT**

TO: All Interested Citizens, Government Agencies and Public Groups

In accordance with the Nebraska Drinking 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 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: Replace Water Tower and Distribution System Improvements
Village of Ewing, Nebraska**

DWSRF PROJECT NUMBER: D311639

TOTAL PROJECT AMOUNT: \$1,024,646

COMMUNITY DEVELOPMENT

BLOCK GRANT: \$385,000

DWSRF LOAN: \$479,734

DWSRF FORGIVENESS: \$159,512

The Village of Ewing has applied for funding for the above-referenced project through the Drinking Water State Revolving Fund (DWSRF) program jointly administered by the Nebraska Department of Health and Human Services (DHHS) and NDEE. Although this project is ranked as a low priority, it was included on the Funding List in the DWSRF State Fiscal Year 2020 Intended Use Plan due to the joint commitment to fund the project with the Community Development Block Grant (CDBG) program. Ewing is located in northeastern Nebraska, on State Highway 275, southeast of the intersection with Highway 20. The community has a population of 375 according to the 2018 census estimate, relatively stable over the past decade.

The public water system (PWS) consists of three municipal wells, a 50,000 gallon water tower built in the early 1900's and a distribution system with undersized cast iron and transite pipe. In December 2017, a Preliminary Engineering Report was prepared to study the needs of the public water system with system operating pressures highlighted as a concern. The existing supply wells are old, with construction dating back to 1953 through 1973; however, recent inspection records noted no major concerns and each of the wells are still capable of meeting projected peak day demand for the system. Thus the report concluded that the old water

tower should be replaced with the same storage capacity, but at a greater height to increase pressures in the distribution system. Further, areas of dead end water mains will be looped to also address the existing pressure concerns, as well as the replacement of the remaining section of transite (i.e., asbestos-cement) water pipe.

The Village is eligible for a 30-year loan at an interest rate of 1.5 percent. In addition to principal and interest payments, an administrative fee of 0.5 percent of the loan balance will be assessed each year. The revenues from Ewing's water utility will be dedicated to repay the loan. The projected annual DWSRF Debt Service (including 10% coverage) is \$23,881. Ewing's current water rate for a typical residential connection is \$15 per month with a consumption charge of \$1.30 for every 1,000 gallons used, or just over \$24 per month based on an average 7,000 gallon household use. After accounting for the \$385,000 Community Development Block Grant (CDBG) and \$159,512 in DWSRF forgiveness assistance (i.e., 25% of the remaining project costs), based on 244 active service connections, monthly household rates may need to be raised \$8.38 to address the new debt service, to approximately \$32.50 per month.

In order to obtain funding clearance for the CDBG award, the proposed project was reviewed by numerous Federal and State agencies for environmental impacts per the attached environmental assessment. The vast majority of responses were positive in that they indicated the project would have no affect/effect, indicated there was no concerns, or noted the project was cleared to move forward. The only concern raised was the lack of available federal floodplain mapping for the area, however the Nebraska Department of Natural Resources stated it did not identify any regulated floodplains, and all distribution mains will be placed below the ground surface, and the new water tower will be sited in a location that from a review of available information has never flooded.

A Public Hearing was held August 12, 2019, with 47 days advanced posted notice. The Engineer gave a description and status of the proposed project. No comments were made by the Village residents in attendance and no other input was received from the public.

The Village has a permit to operate a public water system under the provisions of the Nebraska Safe Drinking Water Act and the Regulations Governing Public Water Supply Systems, Title 179. The proposed project is determined by DHHS to help the public water system maintain compliance with the Safe Drinking Water Act. The system last underwent a routine sanitary survey by DHHS on November 1, 2018, wherein no deficiencies were noted. That completed survey is the first step of the Technical, Financial, and Managerial (TFM) program policy. The Village will still be required to undergo an Initial, and if necessary, a Final TFM Assessment by the DHHS, to ensure that their capabilities meet the requirements of the Safe Drinking Water Act. Also, their current Environmental Tracking Tool score is 0, well below the allowable 11 per issued U.S. Environmental Protection Agency guidance.

The infrastructure investment in a Replacement Tower and Water Mains is in line with the stated goals of the U.S. Environmental Protection Agency's Drinking Water Infrastructure Sustainability Policy. Removing the last section of transite water pipe will provide a public health

benefit. No significant environmental impacts have been identified that would result from the proposed action. A National Pollutant Discharge Elimination System Construction Stormwater permit will be required by NDEE if more than one acre of land is disturbed. The tower will be installed on land owned by the Village. Consequently, a preliminary decision has been made that an Environmental Impact Statement will not be prepared.

This action is taken on the basis of a careful review of the environmental assessment, the preliminary engineering report, and other supporting data that are on file with NDEE. The latter are available for public review upon request and the environmental assessment is attached. The NDEE will not take any administrative action on the project for at least 30 calendar days from the date shown below. Persons having a comment on this determination are encouraged to submit directly to Steve McNulty @ 402 471-1006 or email steve.mculty@nebraska.gov of DHHS, or Tara Sampson @ 402 471-4266 or email tara.sampson@nebraska.gov of the Water Division of NDEE.

Signed this 12th day of September, 2019.

Sincerely,



Jim Macy
Director

Attachments: Environmental Assessment
Distribution List
Map

FINDING OF NO SIGNIFICANT IMPACT DISTRIBUTION LIST
VILLAGE OF EWING

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES –
DIVISION OF PUBLIC HEALTH
Steve McNulty
P.O. Box 95026
Lincoln, NE 68509-5026

DEPARTMENT OF NATURAL RESOURCES
Mitch Paine
P.O. Box 94676
Lincoln, NE 68509-4676

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

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

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

FISH AND WILDLIFE SERVICE
Eliza Hines
9325 B South Alda Road
Wood River, NE 68883-9565

LOCAL NEWSPAPER (Public Information Only)
Clearwater Record-Ewing News
314 M Street
Neligh, NE 68756

NATIONAL PARK SERVICE
Nick Chevance
Environmental Coordinator
601 Riverfront Drive
Omaha, NE 68102-4226

USDA RURAL DEVELOPMENT
Marty Norton, P.E.
Room 308, Federal Building
100 Centennial Mall North
Lincoln, NE 68508

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

ENVIRONMENTAL PROTECTION AGENCY
Chris Simmons/Kelly Beard-Tittone
11201 Renner Blvd
Mail Code: WWPDWIMB
Lenexa, KS 66219

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

APPLICANT
Sharon Swails, Clerk
Village of Ewing
209 East Nebraska Street
Ewing, NE 68735

CONSULTING ENGINEER
Larry Steele, P.E.
Miller and Associates
1111 Central Avenue
Kearney, NE 68847

VILLAGE OF EWING

HOLT COUNTY, NEBRASKA
WATER MAP



SCALE: 1"=400'
SCALE IN FEET

LEGEND

- 4" C900 (7,552 L.F.)
- 4" CP (33,993 L.F.)
- 4" TRANSITE (882 L.F.)
- 6" C900 (1,808 L.F.)
- 6" CP (2,338 L.F.)
- 2" PLASTIC (1,226 L.F.)
- WATER VALVE
- FIRE HYDRANT
- POTENTIAL TOWER LOCATION

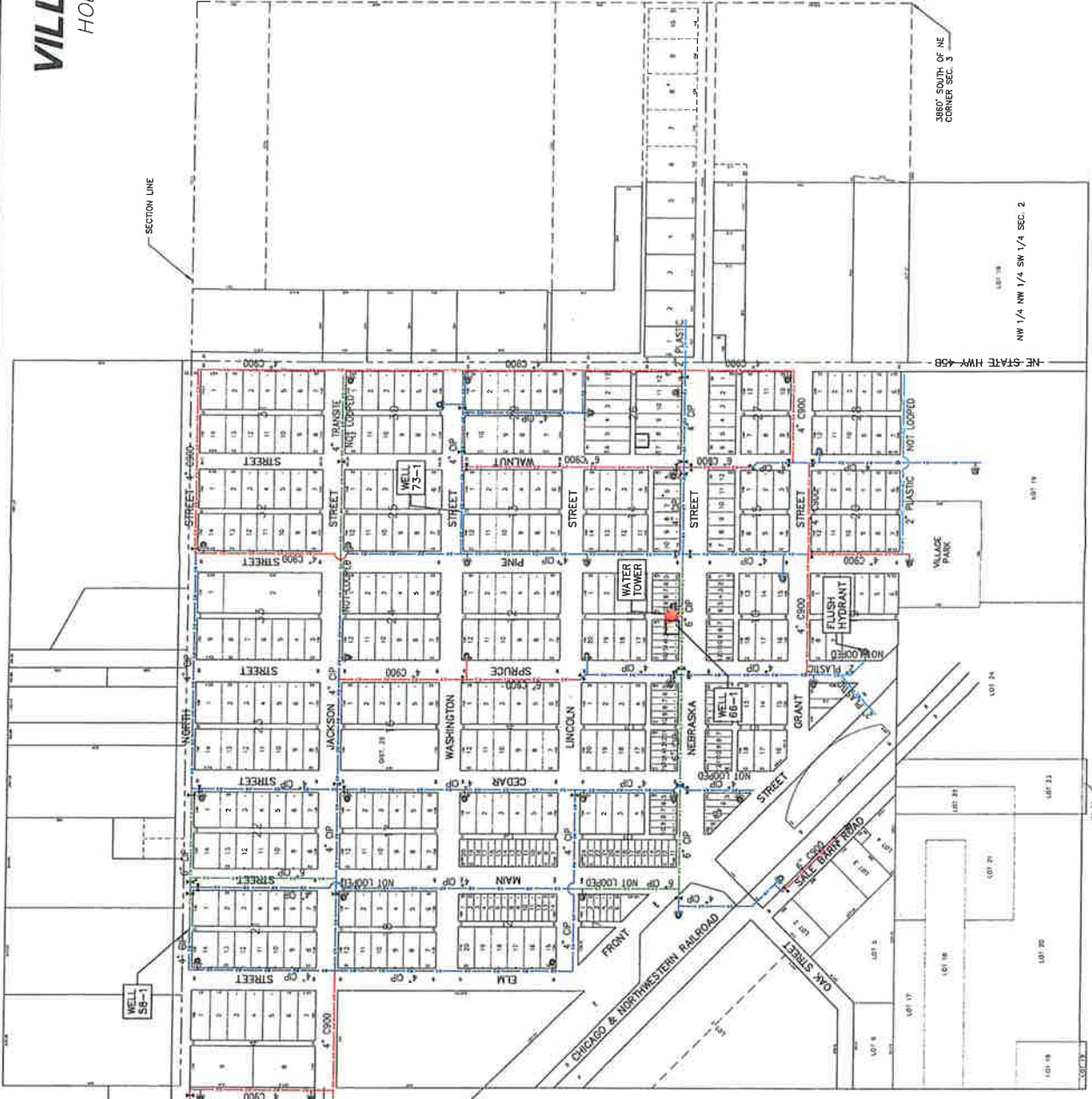


Figure 4.1
Potential Tower Locations
Project 368-C1-002
Ewing, Nebraska

Prepared By:

Miller & Associates
 CONSULTING ENGINEERS, P.C.
 Kearney, NE - (908) 234-6456

VILLAGE OF EWING

HOLT COUNTY, NEBRASKA
WATER MAP



SCALE: 1"=400'
SCALE IN FEET

LEGEND

- 4" C900 (7,582 L.F.)
- 4" CP (13,693 L.F.)
- 4" TRANSTIE (882 L.F.)
- 6" C900 (1,808 L.F.)
- 6" CP (2,338 L.F.)
- 2" PLASTIC (1,226 L.F.)
- WATER VALVE
- FIRE HYDRANT
- NEW 6" PVC WATER MAIN
- NEW 4" PVC WATER MAIN
- LOOP WATER MAINS

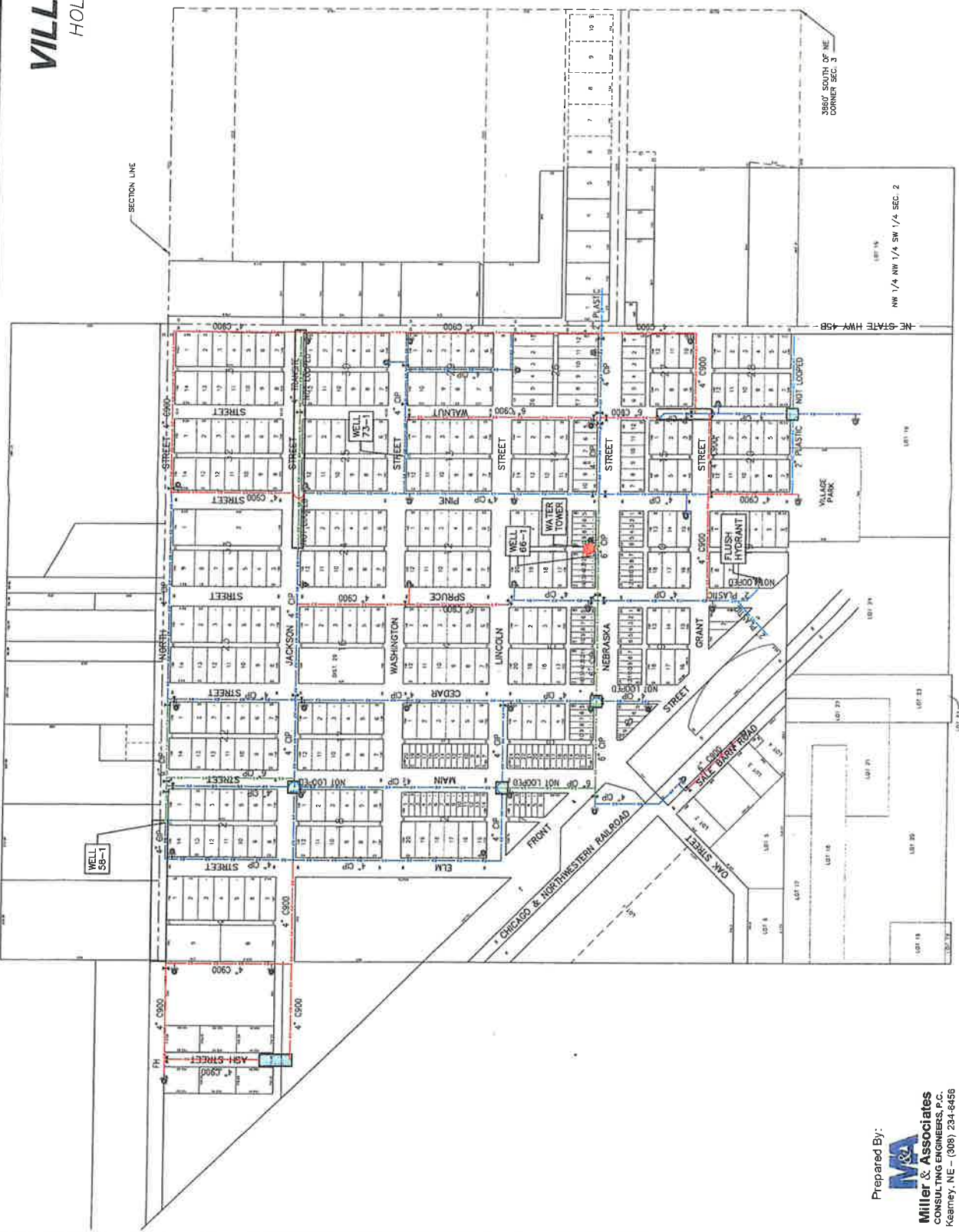


Figure 2.8
Distribution
Improvements
Project 368-C1-002
Ewing, Nebraska

Prepared By:
MA
Miller & Associates
CONSULTING ENGINEERS
Kearney, NE - (800) 734-6456

**ENVIRONMENTAL ASSESSMENT
for HUD-funded Projects**

[HUD recommended format per 24 CFR 58.40]

Project Name: Water System Improvements

Responsible Entity: Village of Ewing, Holt County, Nebraska

Certifying Officer Name & Title: James Ramold, Chairman

Environmental Review Record (ERR) File #: 18-WW-002

DETERMINATION OF LEVEL OF REVIEW

ERR GRANT # 18-WW-002

Project Name: Water System Improvements Program Year: 2018

Project Location: Ewing, Holt County, Nebraska

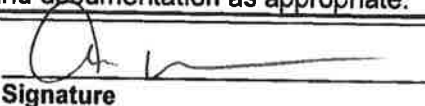
Project Description (Attach additional descriptive information, as appropriate to the project, including narrative, maps, photographs, site plans, budgets and other information.):


The environmental review area includes parts of Section 34, Township 27 North, Range 9 West and parts of Sections 2 and 3, Township 26 North, Range 9 West, Holt County, Nebraska. The latitude/longitude coordinates for the approximate center of Ewing are 42°15'36"/-98°20'38". The proposed project will include constructing a new water storage facility located at [Walnut and Nebraska Street], looping the water mains at [North Street and Ash Street; East Jackson Street; Jackson and Main; Nebraska and Cedar and South Walnut], and well improvements which are located at [Well 58-1, 66-1, 73-1]. CDBG funds will assist in funding the water storage facility at \$350,000, as well as \$25,000 in General Administration and \$10,000 in Construction Management. The Village will fund the remaining project with Drinking Water State Revolving Funds (DWSRF) in an estimated amount of \$525,000 loan and \$114,646 in loan forgiveness. Total project costs are estimated to be \$1,024,646. The Village of Ewing has a low-to-moderate-income population of 53.70% according to the most recent 2018 Income Survey. *See ATTACHMENT 1

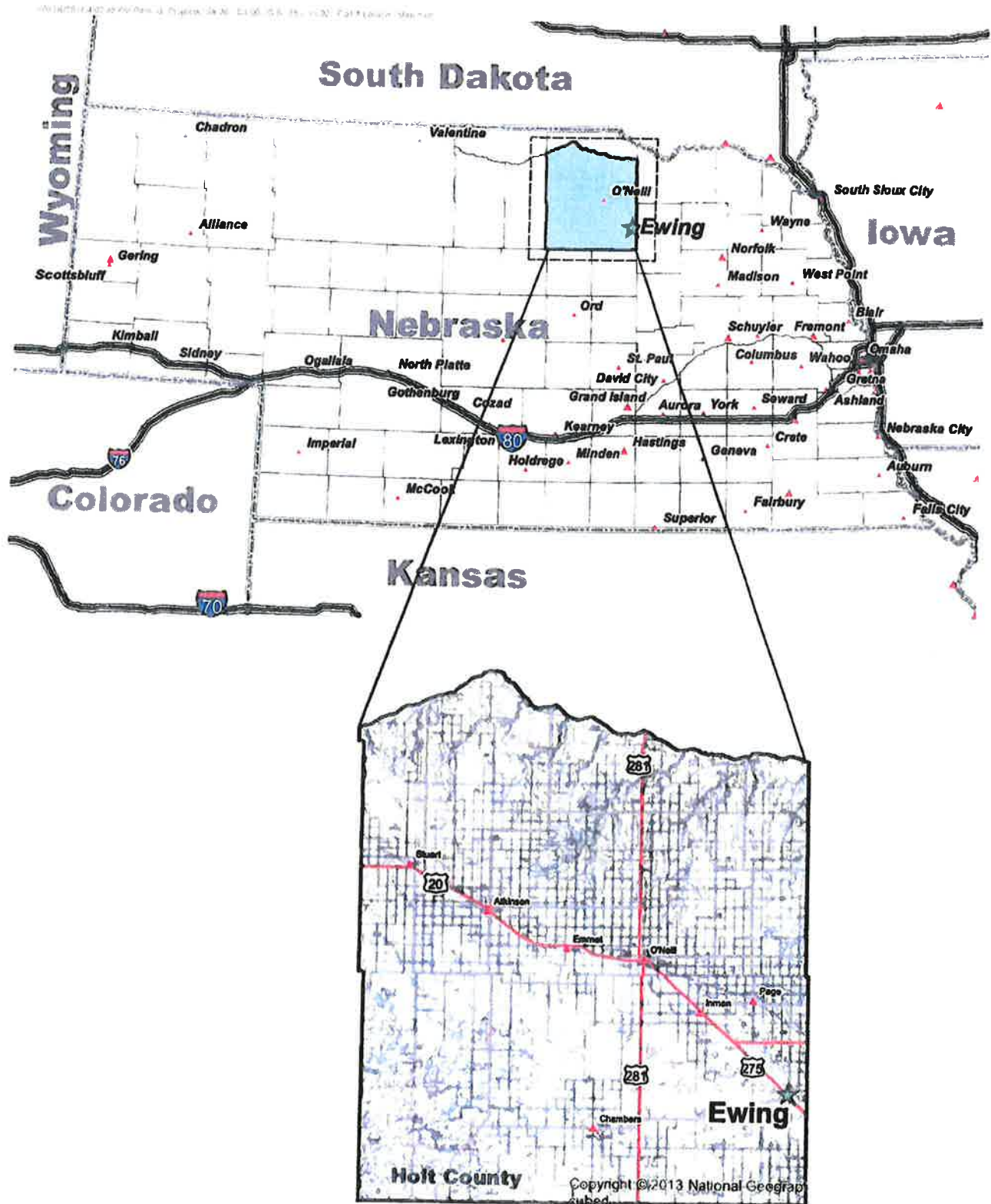
The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

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

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

Ashley Weesner Preparer Name	 Signature
Grant Administrator Title	04-22-19 Date

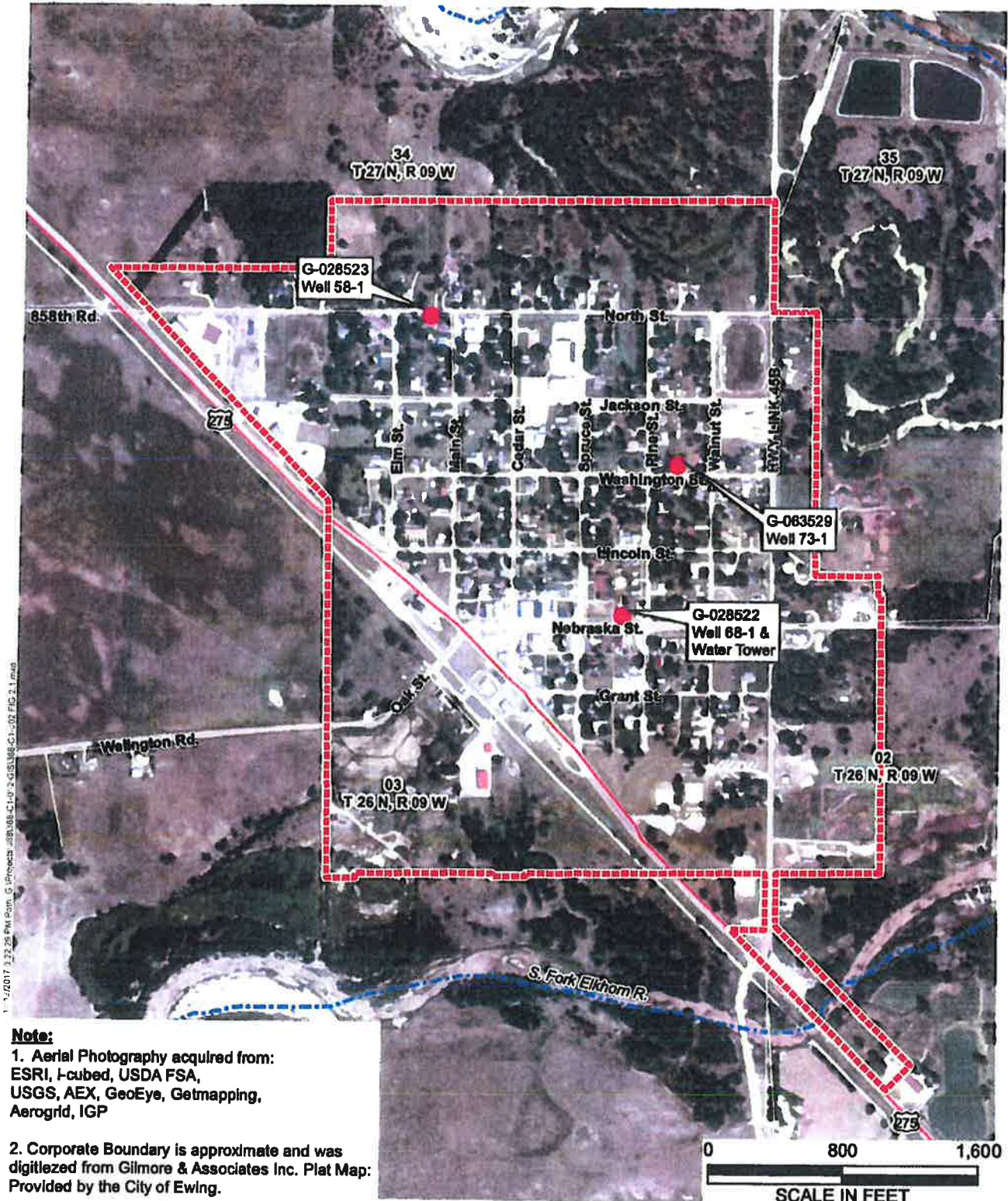
James Ramold Responsible Entity Certifying Officer	 Signature
Chairman Title	4-23-19 Date



Prepared By:
MA
Miller & Associates
 CONSULTING ENGINEERS, P.C.
 Kearney, NE - (308) 234-6456



Figure 1.1
Location Map
 Project 368-C1-002
 Holt County, Nebraska



11/1/2017 3:22:26 PM Pam, G:\Projects\368-C1-02\FIG 2.1.mxd

Note:

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

2. Corporate Boundary is approximate and was digitized from Gilmore & Associates Inc. Plat Map: Provided by the City of Ewing.

LEGEND

- Approx. Corporate Boundary
- Public Well
- Water Tower

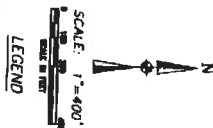
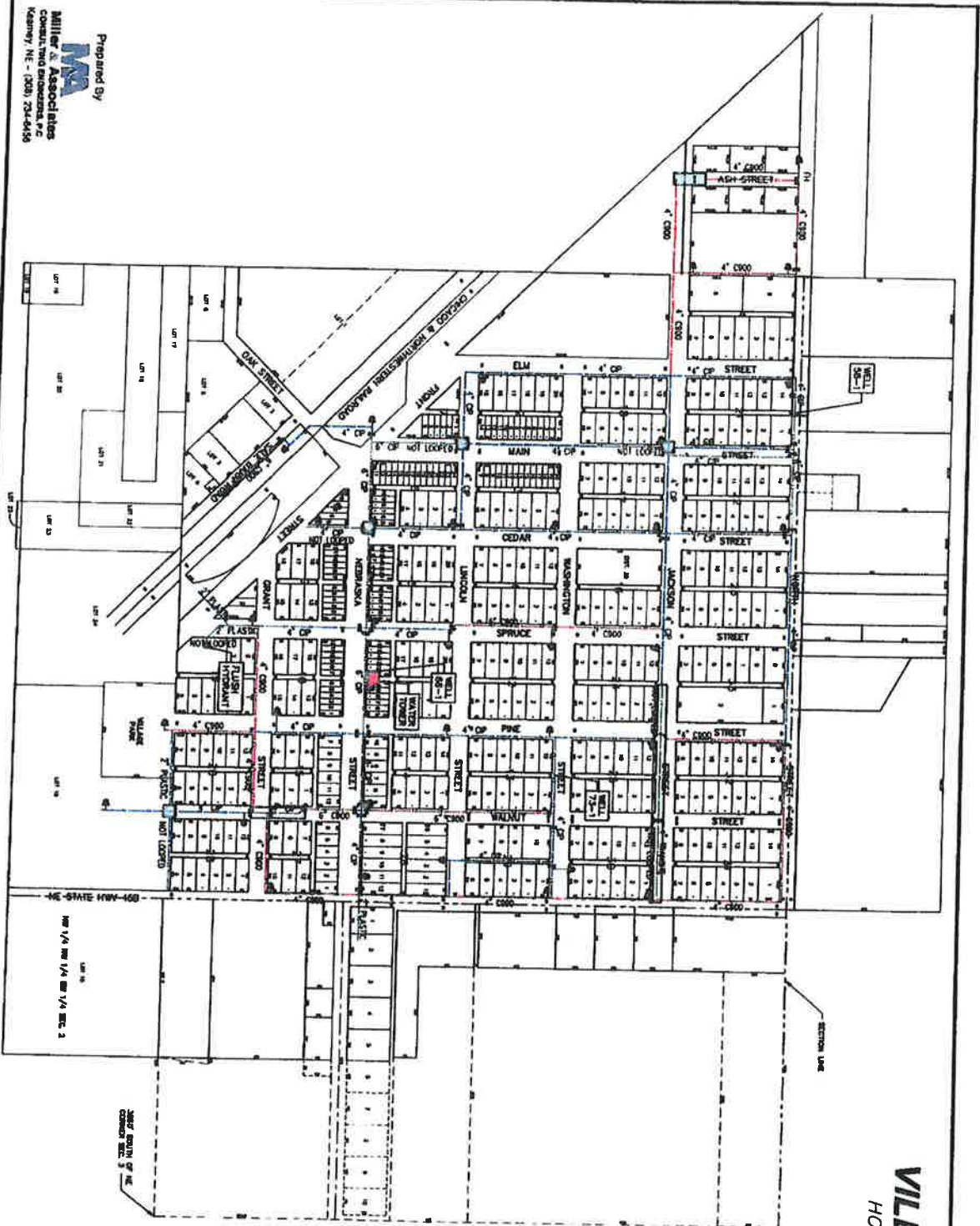
Prepared By:

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Miller & Associates
 CONSULTING ENGINEERS, P.C.
 Kearney, NE - (308) 234-6456



Figure 2.1
Existing Water System
Facilities (Aerial)
 Project 368-C1-002

VILLAGE OF EWING
 HOLT COUNTY, NEBRASKA
 WATER MAP

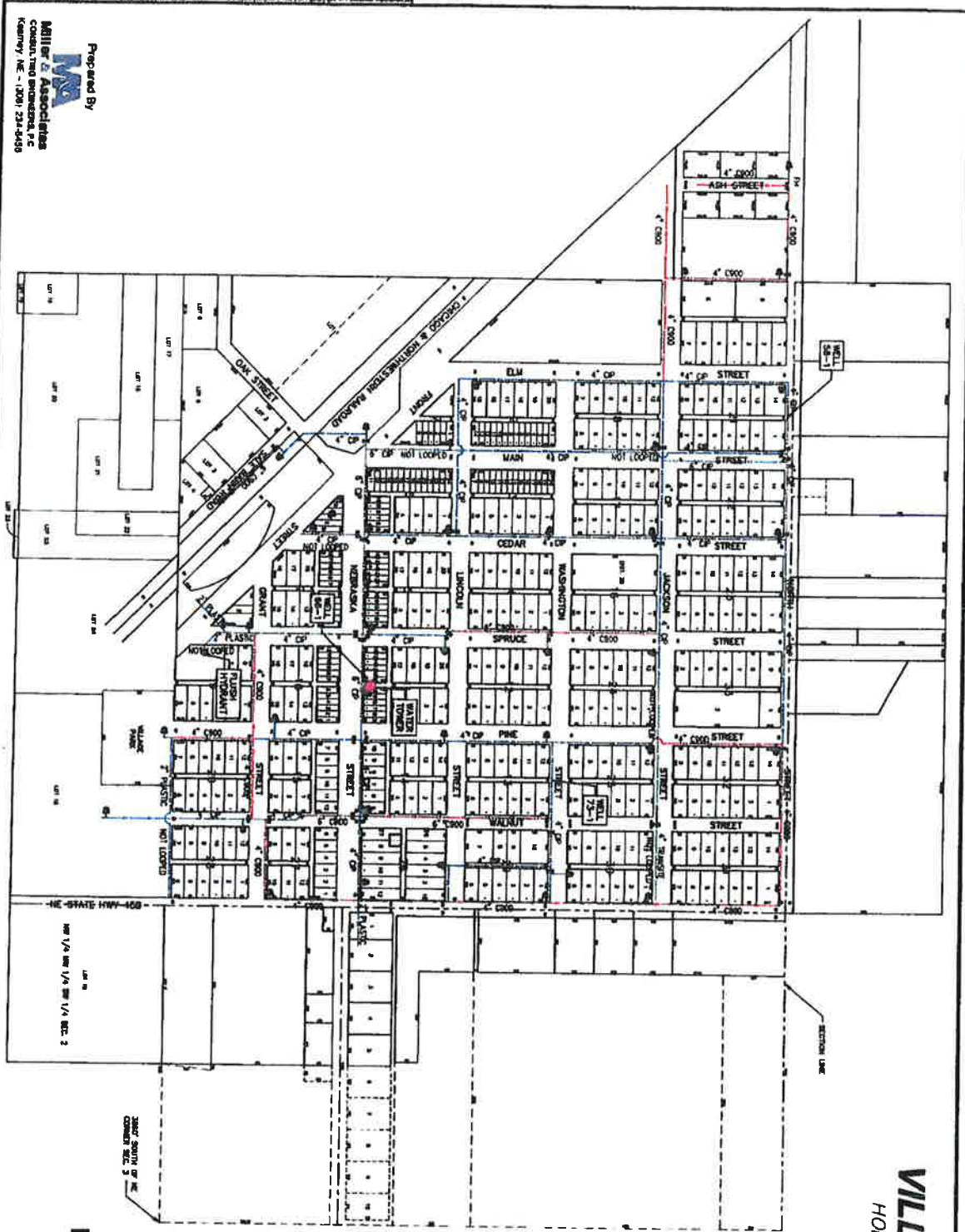


- LEGEND**
- 4" C800 (7.537 LF)
 - 4" CP (14.591 LF)
 - 4" FLANGED (882 LF)
 - 6" C800 (1,808 LF)
 - 6" CP (2,138 LF)
 - 2" FLANGED (1,276 LF)
 - WATER VALVE
 - FIRE HYDRANT
 - NEW 6" P.V.C. WATER MAIN
 - NEW 4" P.V.C. WATER MAIN
 - LOOP WATER MAINS

Prepared By
MA
 Miller & Associates
 Consulting Engineers, P.C.
 Kearney, NE - (308) 794-4436

Figure 2.8
Distribution
Improvements
 Project 368-C1-002
 Ewing, Nebraska

VILLAGE OF EWING
 HOLT COUNTY, NEBRASKA
 WATER MAP



- SCALE: 1" = 400'
 1" = 400'
 1" = 400'
- LEGEND**
- 4" CWO (7,552 L.F.)
 - 4" CW (14,893 L.F.)
 - 4" GAS (865 L.F.)
 - 4" S (1,889 L.F.)
 - 4" SS (1,228 L.F.)
 - 2" PLASTIC (1,228 L.F.)
 - WATER VALVE
 - PNE. METER
 - POTENTIAL TOWER LOCATION

Figure 4.1
Potential Tower Locations
 Project 368-C1-002
 Ewing, Nebraska

Prepared By
Miller & Associates
 CONSULTING ENGINEERS, P.C.
 Kearney, NE - (308) 234-4458

Purpose of the Project: ["Statement of Purpose and Need for the Proposal" -40 CFR 1508.9(b)]

The purpose of the proposed project is to improve the Village of Ewing's water system. The Village of Ewing has a water pressure issue, which prevents homeowners and businesses from having a reliable water source. In an emergency situation, the safety of residents could get put at risk without proper water pressure. Low pressure also increases the risk of backflow contamination, which would cause contaminants to enter Ewing's drinking water system.

Description of the Project: Include all contemplated actions that are logically either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25] As appropriate, attach maps, site plans, renderings, photographs, budgets, and other descriptive information.

The environmental review area includes parts of Section 34, Township 27 North, Range 9 West and parts of Sections 2 and 3, Township 26 North, Range 9 West, Holt County, Nebraska. The latitude/longitude coordinates for the approximate center of Ewing are 42°15'36"/-98°20'38". The proposed project will include constructing a new water storage facility located at [Walnut and Nebraska Street], looping the water mains at [North Street and Ash Street; East Jackson Street; Jackson and Main; Nebraska and Cedar and South Walnut], and well improvements which are located at [Well 58-1, 66-1, 73-1]. CDBG funds will assist in funding the water storage facility at \$350,000, as well as \$25,000 in General Administration and \$10,000 in Construction Management. The Village will fund the remaining project with Drinking Water State Revolving Funds (DWSRF) in an estimated amount of \$525,000 loan and \$114,646 in loan forgiveness. Total project costs are estimated to be \$1,024,646. The Village of Ewing has a low-to-moderate-income population of 53.70% according to a recent 2018 Income Survey. See ATTACHMENT 1.

Existing Conditions and Trends: Describe the existing conditions of the project area and its surroundings, and the trends likely to continue in the absence of the project. [24 CFR 58.40(a)]

A flow test performed indicated that the static pressure in the Ewing distribution system ranged from 27-33 PSI. On four of the six tests, the PSI dipped below 20. Based on current design standards, the normal working pressure in the distribution system should be 60-80 PSI and not less than 35 PSI. As a result of Ewing's low water pressure, typical households are not able to simultaneously do laundry and shower, or run the dishwasher and water the lawn. Some households have difficulty running appliances. In the event of no action of the proposed project, the low water pressure problem will continue.

ENVIRONMENTAL ASSESSMENT

Project Location: Ewing, Holt County, Nebraska

Estimated Total Project Cost (all sources): \$1,024,646

Amount of HUD Assistance: \$385,000 **HUD Grant Program:** CDBG

Grant Recipient (If different from Responsible Entity): _____
[24 CFR 58.2(a)(5)]

Recipient Address: Village of Ewing, 209 East Nebraska, Ewing, NE 68735 **Phone:** 402-626-7718

RE Project Contact Name: Sharon Swails, Village Clerk **Phone:** 402-626-7718

Conditions for Approval: (List all mitigation and project modification measures adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as required.) [24 CFR 58.40(d), 40 CFR 1505.2(c)]

FINDING: [24 CFR 58.40(g)]

- Finding of No Significant Impact (FONSI)**
(The project will not result in a significant impact on the quality of the human environment.)
- Finding of Significant impact**
(The project may significantly affect the quality of the human environment.)

PREPARER SIGNATURE: _____

DATE: 0422-19

PREPARER NAME & TITLE: Ashley Weesner, Grant Administrator

PREPARER'S AGENCY (If Different from RE): Miller & Associates Consulting Engineers, P.C.

RE CERTIFYING OFFICER SIGNATURE: _____

DATE: 4-23-19

PART I: STATUTORY CHECKLIST [24 CFR 58.5]

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

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

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

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

Statute, Authority, Executive Order, Regulation, or Policy cited at 24 CFR §58.5	STATUS A B		Compliance Documentation
1. Air Quality [Clean Air Act sections 176(c) & (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project <u>is not located</u> in an EPA non-attainment or maintenance area. Qualified Data Source: https://www3.epa.gov/airquality/greenbook/map/mapnmpoll.pdf See also EXHIBIT 1.
2. Airport Hazards (Clear Zones and Accident Potential Zones) [24 CFR 51D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project <u>is not located</u> within an FAA-designated civilian airport Runway Clear Zone, or within a military airfield Clear Zone or Accident Potential Zone. Qualified Data Source: https://www.faa.gov/airports/planning_capacity/npias/reports/media/NPIAS-Report-2017-2021-Appendix-B-Part-4.pdf See also EXHIBIT 2.
3. Coastal Zone Management [Coastal Zone Management Act sections 307(c) & (d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No coastal zone management programs exist in the States of HUD Region VII, as established by Nat'l Oceanic & Atmospheric Administration, Office of Ocean and Coastal Resource Management. https://coast.noaa.gov/?redirect=301ocm
4. Contamination and Toxic Substances [24 CFR 58.5(i)(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project is in close proximity to inactive leaking storage tanks identified on NDEQ's interactive map website. Since the project activity will occur on the Village's right of way and because the LSTs (located on private property) are inactive, the project will not affect the health and safety of occupants or that conflict with the intended utilization of the property. Qualified Data Source: Department of Environmental Quality See EXHIBIT 4.

5. Endangered Species [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>After consulting U.S. Fish & Wildlife Service and Nebraska Game and Parks, the project has gained approval with no concerns that any listed or proposed endangered or threatened species or critical habitat will be affected by the project.</p> <p>Qualified Data Source: U.S. Fish & Wildlife Service and Nebraska Game and Parks See EXHIBIT 5.</p>
6. Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project does not create adverse environmental justice impacts, but all persons, including minority and low-income persons, will be served by the project.</p> <p>Qualified Data Source: https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx See also EXHIBIT 6.</p>
7. Explosive and Flammable Operations [24 CFR 51C]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>A letter was sent to the State Fire Marshal on November 15, 2017, and a response was received November 17, 2017, which stated no facts are known of above-ground storage tanks that would impact the project.</p> <p>Qualified Data Source: Nebraska State Fire Marshal See EXHIBIT 7.</p>
8. Farmland Protection [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Dept. of Agriculture, Natural Resources Conservation Service (NRCS) determined that a Farmland Conversion Impact Rating form (AD-1006) will not be needed on this project since the project site is within the city limits, and no additional cropland will be taken out of production. The agency determined the project is clear of FPPA significant concerns.</p> <p>Qualified Data Source: United States Department of Agriculture, NRCS See response letter shown in EXHIBIT 8.</p>
9. Floodplain Management [24 CFR 55, Executive Order 11988]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>FEMA has not completed a study to determine flood hazard for the proposed project site; therefore no FIRM Panel is available. A letter of interest was sent to the Nebraska Department of Natural Resources on November 15, 2017, and a response was received on December 14, 2017, which is shown in EXHIBIT 9. After consulting with the NDNR in March 2019, Holt County is currently in the process of being mapped along the Elkhorn watershed. The floodplain interactive map accessible on NDNR's website has not been regulated yet for the Village of Ewing and it could take two more years before a regulated map is available according to the NDNR. The Village is to keep in mind the risk of flooding when constructing, building, or excavating in lower areas and along the creek.</p> <p>Qualified Data Source: Nebraska Department of Natural Resources See response letter shown in EXHIBIT 9.</p>

10. Historic Preservation [36 CFR 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The Nebraska State Historical Society determined that no historic properties will be affected from the proposed water system project (water main, tower, and well/replacements/improvements). However, with digging in the project area, if buried or otherwise obscured cultural or human remains are discovered during the undertaking, the office is to be contacted immediately.</p> <p>Qualified Data Source: Nebraska State Historical Society See response letter shown in EXHIBIT 10.</p>
11. Noise Control [24 CFR 51B]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project <u>does not involve</u> residential or other noise-sensitive developments, but involves water system improvements. Therefore the threshold requirements of 24 CFR 51B are not triggered and no further action is required.</p>
12. Water Quality (Sole Source Aquifers) [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project site is not located nor does it affect an EPA designated sole source aquifer.</p> <p>Qualified Data Source:</p> <p>https://files.hudexchange.info/reports/published/ESD_900000010029698_12152018_900000010098220_1513375800494.pdf</p> <p>See also EXHIBIT 12</p>
13. Wetland Protection [24 CFR 55, Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project will not result in an adverse impact to wetlands. All activity will occur within Village limits.</p> <p>Qualified Data Source: https://www.fws.gov/wetlands/data/Mapper.html See also EXHIBIT 13.</p>
14. Wild and Scenic Rivers [36 CFR 297]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed project is not located within one mile of a listed wild and scenic river and the project will not have an effect upon the natural, free flowing, or scenic qualities of such a river.</p> <p>Qualified Data Source: https://www.rivers.gov/nebraska.php See also EXHIBIT 14.</p>

PART II: ENVIRONMENTAL ASSESSMENT CHECKLIST

[Environmental Review Guide HUD CPD-782, 24 CFR 58.40; 40 CFR 1508.8 & 1508.27]

For each impact category, evaluate the significance of the effects of the proposal on the character, features, and resources of the project area. Enter relevant base data and credible, verifiable source documentation to support the finding. Note names, dates of contact, telephone numbers, and page references. Then enter the appropriate determination of impact: None Anticipated, Potentially Adverse, or Potentially Beneficial. Attach additional material as appropriate. Note conditions or mitigation measures required.

Impact Categories	Anticipated or Potential Impact <ul style="list-style-type: none"> • Adverse • Beneficial • No Impact 	Source Documentation and Mitigation or Modification Required
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Land Development

Conformance with Comprehensive and Neighborhood Plans	No Impact	The proposed activity will be compatible with the plans of the Village and Board.
Land Use Compatibility and Conformance with Zoning	No Impact	The improvements will be compatible with surrounding infrastructure.
Urban Design-Visual Quality and Scale	No Impact	There will be no impact to the visual quality of the community.
Slope	No Impact	The water system improvements will not change the slope of surrounding land.
Erosion	No Impact	Disturbed areas will be seeded to prevent erosion.
Soil Suitability	No Impact	The proposed project areas will not put at risk and damage the soil suitability and land resources.
Hazards and Nuisances, Including Site Safety	No Impact	The contractor will be responsible for providing any necessary barricades to prevent accidental injury adjacent to the site.
Noise-Effects of Ambient Noise on Project & Contribution to Community Noise Levels	No Impact	All project activity will take place during daylight hours and will have no impact on community noise levels. The finished project will not increase noise levels.
Air Quality-Effects of Ambient Air Quality on Project & Contribution to Community Pollution Levels	No Impact	The project is not located in a non-attainment area, and air quality will not be compromised.
Energy Conservation	Beneficial	Water use efficiency and infrastructure improvements will aid in energy conservation efforts.

Socioeconomic Factors

Demographic Character Changes	No Impact	No changes will occur to demographics as a result of the project.
Displacement	No Impact	No displacement will occur as a result of the project.
Employment and Income Patterns	Beneficial	Employment opportunities may increase if contractors are advertising for job availability during the project.

Community Facilities and Services

Educational Facilities	Beneficial	Water use efficiency and a reliable water system will improve.
Commercial Facilities	Beneficial	Water use efficiency and a reliable water system will improve.
Health Care	Beneficial	Water use efficiency and a reliable water system will improve.
Social Services	No Impact	Any necessary social services needed by any workers on the site would be available within the Ewing area.
Solid Waste	No Impact	No additional solid waste would be created by the project activities and no current solid waste exists on the project site.
Waste Water	No Impact	No additional waste water would be created by the project activities and no current waste water exists on the project site.
Storm Water	No impact	Water system improvements constructed during the project will not impact storm water issues.
Water Supply	Beneficial	The proposed project will improve water use efficiency to local residents, businesses, and organizations.
Public Safety <ul style="list-style-type: none"> • Police 	No Impact	The project will not affect the ability of public safety agencies to operate as usual.
<ul style="list-style-type: none"> • Fire 	Beneficial	The project will affect the ability of the fire department to operate by providing reliable water use and efficiency.

• Emergency Medical	No Impact	The project will not affect the ability of emergency medical personnel to operate as usual.
Open Space & Recreation • Open Space	No Impact	Open space will not be affected by the project.
• Recreation	No Impact	The project will not affect public parks.
• Cultural Facilities	No Impact	No cultural activities will be affected by the project.
Transportation	No Impact	Traffic will be rerouted temporarily during project activity.

Natural Features

Water Resources	No Impact	The project will have no impact on water resources in the project area, such as rivers, lakes, and wetlands.
Surface Water	No Impact	The project will have no impact on surface water in the project area.
Unique Natural Features & Agricultural Lands	No Impact	The project will not adversely affect farmland, as all construction improvements will occur within the Village limits.
Vegetation and Wildlife	No Impact	The project will have no impact on farmland and vacant land.

PART III: 58.6 CHECKLIST

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

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

No. Cite or attach Source Documentation:

https://www.faa.gov/airports/planning_capacity/npias/reports/media/NPIAS-Report-2017-2021-Appendix-B-Part-4.pdf Project complies with 24 CFR 51.303(a)(3).]

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

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

Is the project located in a coastal barrier resource area?

No. Cite or attach Source Documentation: No CBRA's in Nebraska according to

<https://coast.noaa.gov/?redirect=301ocm> [Proceed with project.]

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

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

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

No. Cite or attach Source Documentation: FEMA has not completed a study to determine flood hazard for the proposed project site; therefore no FIRM Panel is available. However, Holt County is currently in the process of being mapped along the Elkhorn watershed, and it could take two more years before a regulated map is available. [Proceed with project.]

Yes. Cite or attach Source Documentation: _____

Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

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

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

Summary of Findings and Conclusions

Project Alternatives Considered: [24 CFR 58.40(e), 40 CFR 1508.9] (As appropriate, identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment for each alternative and the reasons for rejecting it. Include consideration of the No Action Alternative, that is, not implementing the preferred alternative.)

New source or consolidation with nearby public water supplies were not considered since the existing source water quality and quantity meets the needs of Ewing.

The No Action Alternative plan is the continued operation of the water system without any modifications or improvements. This plan will suffice for an unknown period of time. The concern with the low pressures in the distribution system is the potential for cross connection and for contaminants to enter the water system. This is not an acceptable alternative due to the lack of pressure in the distribution system, dead-end mains, and the age of the elevated storage tower, which is at the end of its useful life.

Mitigation and Project Modification Measures Recommended: [24 CFR 58.40(d), 40 CFR 1508.20] (Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

No mitigation and project modifications are recommended.

Additional Studies Performed: (List the reports, studies, or analyses performed for this assessment, and attach studies or summaries.)

Municipal Water Evaluation Plan

List of Agencies and Persons Consulted: [40 CFR 1508.9(b)] (List agencies and persons consulted for this assessment.)

National Park Service, Nick Chevance, Environmental Coordinator, Planning and Compliance Officer

US Army Corp of Engineers, Eric Laux, Planning Division

US Army Corp of Engineers, John Moeschen

US Fish & Wildlife Service, Eliza Hines

Nebraska Health and Human Services Department of Regulation and Licensure, Steve McNulty

Department of Natural Resources, Mitch Paine, Natural Resources Planner Coordinator

Nebraska State Historical Society, Jill Dolberg, State Historic Preservation Officer

Natural Resources Conservation Services, Wayne Vanek, State Conservationist

Nebraska Department of Environmental Quality Field Services and Assistance Division, Tricia Scott

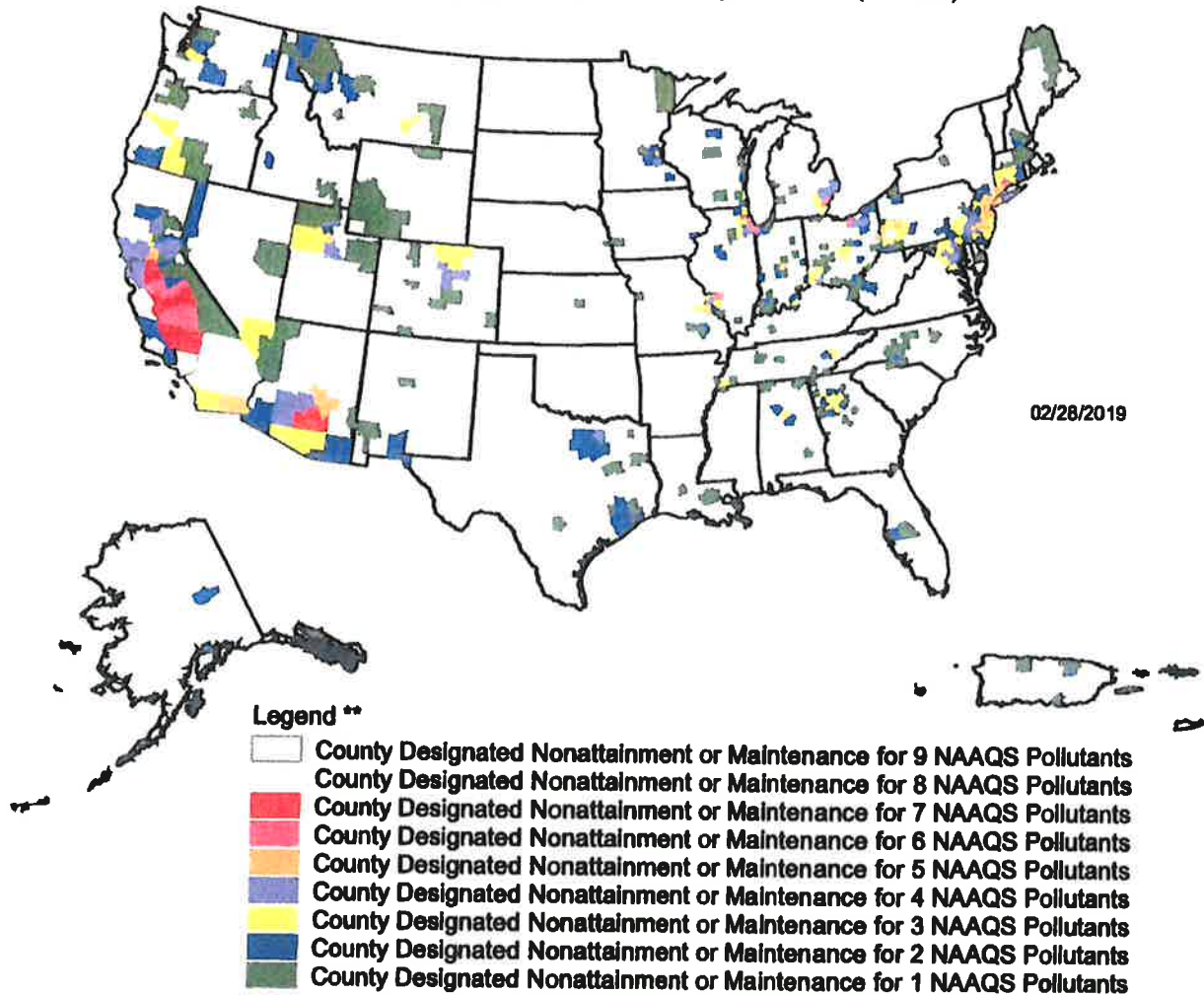
Nebraska Department of Aeronautics Planning & Engineering Division, Kandi Bremer

Nebraska State Fire Marshal Thermal/Explosive Hazards Division, Rosemary Hatton

Upper Elkhorn Natural Resources District, Dennis Schueth

Counties Designated "Nonattainment" or "Maintenance"

for Clean Air Act's National Ambient Air Quality Standards (NAAQS) *



Guam - Piti and Tanguisson power stations are designated nonattainment for the SO₂ (1971) NAAQS
 Piti and Cabras power stations are designated nonattainment for the SO₂ (2010) NAAQS

* The National Ambient Air Quality Standards (NAAQS) are health standards for Carbon Monoxide, Lead (1978 and 2008), Nitrogen Dioxide, 8-hour Ozone (2008), Particulate Matter (PM-10 and PM-2.5 (1997, 2006 and 2012), and Sulfur Dioxide.(1971 and 2010)

** Included in the counts are counties designated for NAAQS and revised NAAQS pollutants. Revoked 1-hour (1979) and 8-hour Ozone (1997) are excluded. Partial counties, those with part of the county designated nonattainment and part attainment, are shown as full counties on the map.

**AIR QUALITY
 EXHIBIT 1**

Joene Crocker - M&A

From: Bremer, Kandi <kandice.bremer@nebraska.gov>
Sent: Friday, November 17, 2017 2:13 PM
To: Keith Tillotson
Cc: Lannin, Anna; Gasper, Russ
Subject: M & A project no 368-C1-002 Ewing water system

Importance: High

Dear Mr. Tillotson,

The Nebraska Department of Transportation, Division of Aeronautics has completed the review of the proposed project in Ewing, water system improvements.

The NDOT has no objection to the project, provided the height of any equipment used in the project (or any antennae installed on the equipment) does not exceed any local airport's Height Restriction Zoning. A copy of the zoning should be on file with the airport manager.

The nearest public-use airport would be the Antelope County Airport, Neligh, located approximately 18.11 miles southeast of the project's water tower. Due to the distance to the airport, it is unlikely there would be any violations to the Antelope County Airport's airspace.

Please note that any contractor involved in the project should file a 7460-1 Form with the FAA for all structures over 200' tall, **or that break a 100:1 slope from a public-use airport**. This includes any trucks or equipment used during the bridge work; especially a pile driver, if one is to be used for any guardrail work.

Should you have any questions or concerns, please feel free to contact me at 402-471-7925 or kandice.bremer@nebraska.gov.

Sincerely,

Kandi Bremer

Hwy Local Liaison I

Planning & Programming

Division of Aeronautics

Nebraska Department of Transportation

3431 Aviation Road, Suite 150

Lincoln, NE 68524

OFFICE 402-471-7925

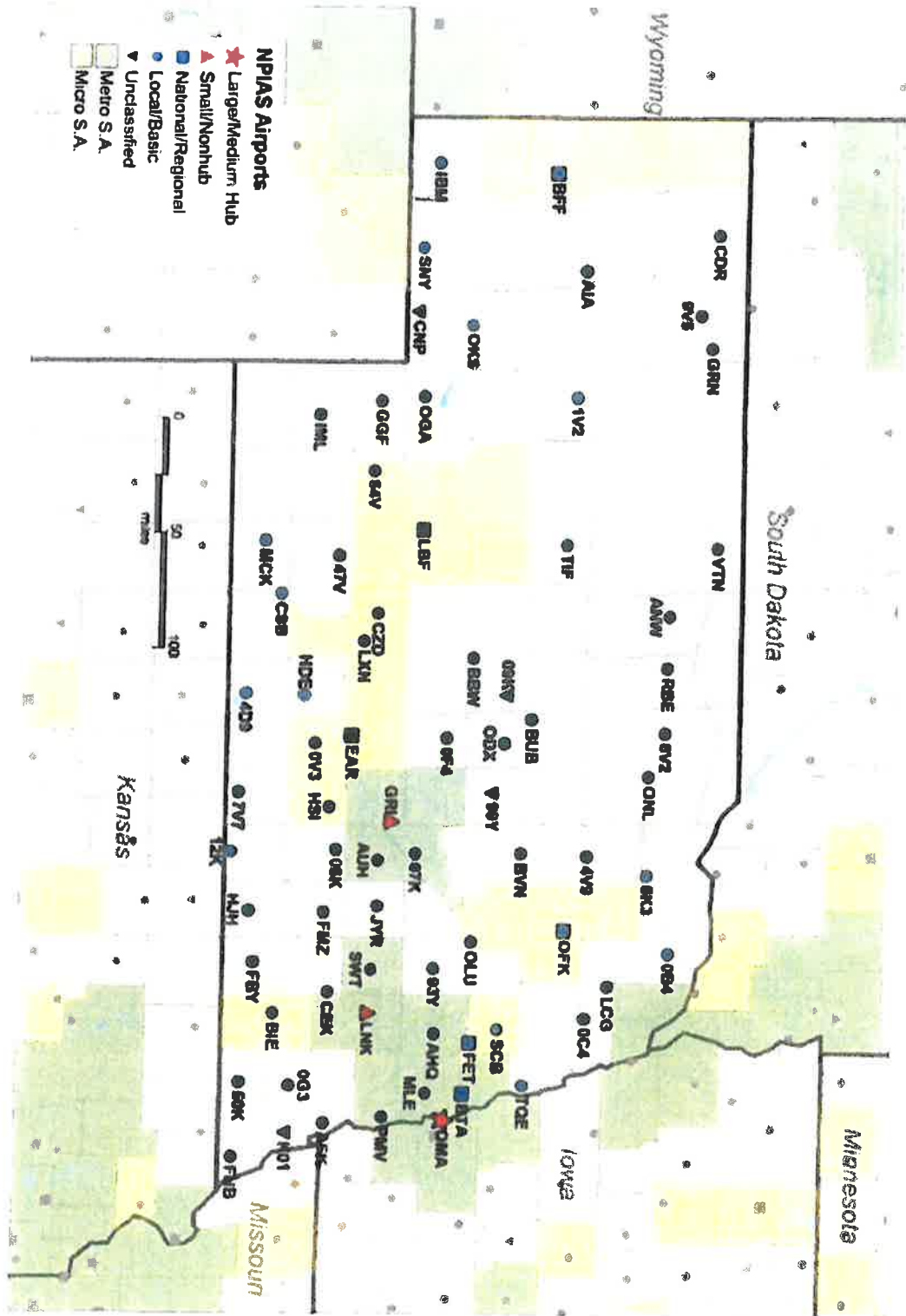
FAX 402-471-2906

kandice.bremer@nebraska.gov

[Web Page](#) | [Facebook](#)

**AIRPORT HAZAROUS
EXHIBIT 2**

Nebraska



AIRPORT HAZARDS
EXHIBIT 2

Facility ID	Facility Name	Street	City	County	Zip Code	Status	Latitude	Longitude	Lat/Long D	Lat/Long Source
26774	Jerry's Service	204 E Front St	Ewing	Holt	68735	O	42.25702	98.34495	~5' south o	GPS-WAAS
26785	Rotherham's Service	201 E Nebraska St	Ewing	Holt	68735	O	42.25772	98.34502	curb N corr	GPS-DIF
26789	Agrilliance Agronomy	201 S Cedar St	Ewing	Holt	68735	C	42.25709	98.34563	40' NW of :	GPS-DIF
54153	Wash Out Convenience Store	604 E US Highway 275	Ewing	Holt	68735	O	42.25205	98.33892	30' E of off	GPS-DIF
60733	Holt County Highway Dept	320 State Highway 45B	Ewing	Holt	68735	O	42.26094	98.33972	10' E of die	GPS-DIF
61903	Rain & Grain Inc	Jct 506th Ave & 849 Rd	Ewing	Holt	68735	O	42.13231	98.36665	main drive	DIG-DOQ
76304	Hinrichsen Sand & Gravel	85751 510th Ave	Ewing	Holt	68735	O	42.25735	98.30292	Quarter Qu	LEGAL
106784	Westend Mini Mart	250 W US Highway 275	Ewing	Holt	68735	O	42.26015	98.34979	south drive	DIG-DOQ

**CONTAMINATION & TOXIC SUBSTANCES
EXHIBIT 4**



LEGEND

- Proposed water tower location
- Proposed looping of mains
- NDEQ Leaking Storage Tanks - Inactive

CONTAMINATION & TOXIC SUBSTANCES

EXHIBIT 4

November 15, 2017
Kearney, Nebraska

FWS NE
2018-128



M&A
Miller & Associates
CONSULTING ENGINEERS, P.C.

1111 Central Ave. Kearney, NE 68847-6833
Tel: 308-234-6456
Fax: 308-234-1146
www.miller-engineers.com

US Fish & Wildlife Service
Attn: Eliza Hines
9325 South Alda Road
Wood River, NE 68883

RE: Water System Improvements Project
Ewing, Nebraska
M&A Project No. 368-C1-002

U.S. FISH AND WILDLIFE SERVICE	
<input checked="" type="checkbox"/> NO CONCERNS	
<input type="checkbox"/> CONCERN NOT LIKELY TO ADVERSELY AFFECT	
<input type="checkbox"/> NO COMMENT	
<i>Eliza Hines</i>	<i>11.15.2017</i>
ELIZA HINES	DATE
NEBRASKA FIELD SUPERVISOR	

Dear Ms. Hines,

The Village of Ewing is in the planning phase of the development of a water system improvements project. The improvements consist of the replacement and extension of water mains, replacement of the water tower, and well improvements. The extension of water mains will not result in increased water consumption. All work will take place within municipal limits. These improvements may be partially funded by a Nebraska Department of Health and Human Services/Nebraska Department of Environmental Quality State Revolving Fund Grant/Loan (SRF), USDA-Rural Development, Nebraska Department of Economic Development-CDBG and other federal or state funding sources. One figure is enclosed which shows the outlined area depicting the potential area of impact.

The environmental review area includes parts of Section 34, Township 27 North, Range 9 West and parts of Sections 2 and 3, Township 26 North, Range 9 West, Holt County, Nebraska. The latitude/longitude coordinates for the approximate center of Ewing are 42°15'36"-98°20'38".

The purpose of this letter is to request your review and response regarding any environmental impacts that your Agency may identify for this proposed project pursuant to the National Environmental Policy Act.

We request that you advise us of any comments that you may have regarding this project within thirty days, so the Village of Ewing can proceed with finalizing the funding of this project and completion of the environmental review.

If you have any questions concerning this proposed project or if you need any further information, please feel free to advise this office at your convenience. You may also email your questions or comments to ktillotson@miller-engineers.com.

Sincerely,
MILLER & ASSOCIATES
CONSULTING ENGINEERS, P.C.

Keith Tillotson
Keith Tillotson
Environmental Technician

Enclosure

Joene Crocker - M&A

From: Eliza Hines <eliza_hines@fws.gov>
Sent: Friday, January 05, 2018 2:06 PM
To: Keith Tillotson
Cc: Jeff Runge; Grell, Carey; Koch, Michelle
Subject: Service Review - Village of Crookston Water System Improvements and Village of Ewing Water System Improvements
Attachments: FWS NE 2018-045 Village of Crookston Water System Improvements.pdf; FWS NE 2018-128 Village of Ewing Water System Improvements.pdf

Hi Keith,

The Service has reviewed the proposed water system improvement projects in the Village of Crookston (Cherry County, Nebraska) and the Village of Ewing (Holt County, Nebraska) and we have no concerns about the projects as proposed. As such, they have been stamped and signed as such – please see attached.

If you have questions or concerns, please give me a call.

Thanks,

Eliza Hines
Nebraska Field Supervisor
U.S. Fish & Wildlife Service
9325 South Alda Road
Wood River, Nebraska 68883
P: (308) 382-6468 Ext. 204
eliza_hines@fws.gov



Environmental Review Report

Project Information

Report Generation Date: 11/14/2017 04:52:16 PM
Project Title: Village of Ewing Water Improvements Project
User Project Number(s): 368-C1-002
System Project ID: NE-CERT-000277
Project Type: Water Use/Transfer/Channel Activities, Water System Improvements
Project Activities: Modifications to existing wells
Project Size: 242.47 acres
County(s): Holt
Watershed(s): Elkhorn
Watershed(s) HUC 8: Upper Elkhorn
Watershed(s) HUC 12: Learye Lakes-Elkhorn River; Outlet South Fork Elkhorn River
Biologically Unique Landscape(s): Elkhorn River Headwaters
Township/Range and/or Section(s): T26R09WS02; T26R09WS03; T27R09WS34; T27R09WS35
Latitude/Longitude: 42.259386 / -98.342821

Contact Information

Organization: Miller & Associates Consulting Engineers P.C.
Contact Name: Keith Tillotson
Contact Phone: 308-234-6456
Contact Email: ktillotson@miller-engineers.com
Contact Address: 1111 Central Avenue Kearney NE 68947
Prepared By:
Submitted On Behalf Of: Village of Ewing

Project Description

Replace and loop water mains. Replace water tower. Well improvements.

Introduction

The Nebraska Game and Parks Commission (Commission) and the U.S. Fish and Wildlife Service (Service) have 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 (stream side) 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 Commission and Service recommends ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

The Commission has responsibility for protecting state-listed endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). Pursuant to § 37-807 (3) of NESCA, all state agencies shall, in consultation with the Commission, insure projects they authorize (i.e., issue a permit for), fund or carry out do not jeopardize the continued existence of state-listed endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Commission to be critical. If a proposed project may affect state-listed species or designated critical habitat, further consultation with the Commission is required.

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; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act. The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations.

Pursuant to section 7(a)(2) of ESA, every federal agency, shall in consultation with the Service, ensure that an 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 with the Service. It is the responsibility of the federal action agency to fully evaluate all potential effects (direct and indirect) that may occur to a listed species and critical habitat in the action area. The federal agency provides their effects determination to the Service for concurrence. If federally listed species and/or designated/proposed critical habitat would be adversely affected by implementation of the project, the federal agency will need to formally request further section 7 consultation with the Service prior to making any irretrievable or irreversible commitment of federal funds (section 7(d) of ESA), or issuing any federal permits or licenses.

Informal consultation pursuant to NESCA and ESA can be completed by using the Conservation and Environmental Review Tool (CERT). The CERT analyzes the project type and location, and provides a series of habitat questions and conservation conditions in this report, if applicable. Project proponents can agree to implement conservation conditions as outlined in the report and applicable to the project type by signing in the designated areas and uploading the signed PDF as part of their "final" project submittal. The Commission and the Service concur that by agreeing to and implementing the conservation conditions as outlined, then such projects are not likely to adversely affect listed species and further consultation is not required. If the report indicates the project "May Affect" listed species, then further consultation with the Commission and/or the Service is required.

Overall Results

The following result is based on a detailed analysis of your project.

- **No Effect** – no further consultation needed. Please review all the information provided in this document. Then, sign and date the "Certification" section and upload the signed document as "final." No additional correspondence with the Nebraska Game and Parks Commission or the U.S. Fish and Wildlife Service is required unless otherwise indicated in the "Additional Information" section below.

Certification

I certify that ALL of the project information in this report (including project location, project size/configuration, project type, project activities, answers to questions) is true, accurate, and complete. In addition, if the project type, activities, location, size, or configuration changes, or if any of the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.



Applicant/project proponent signature

15 November 2017

Date

Additional Considerations

Bald and Golden Eagle Protection Act

The federal Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under the Eagle Act, "take" of eagles, their parts, nests or eggs is prohibited without a permit issued by the Secretary of the Interior. Disturbance resulting in injury to an eagle or a decrease in productivity or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior is a form of "take."

Bald eagles use 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. 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. Additionally, many bald and golden eagles nest in Nebraska from mid-February through mid-July. Disturbances within 0.5-miles 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 effects 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 if the proposed project would impact bald or golden eagles or their habitats. This can be done by conducting a habitat assessment, surveying nesting habitat for active and inactive nests, and surveying potential winter roosting habitat to determine if it is being used by eagles. The area to be surveyed is dependent on the type of project; however for most projects we recommend surveying the project area and a ½ mile buffer around the project area. If it is determined that either species could be affected by the proposed project, the Commission recommends that the project proponent notify the Nebraska Game and Parks Commission as well as the Nebraska Field Office, U.S. Fish and Wildlife Service for recommendations to avoid "take" of bald and golden eagles.

Migratory Bird Treaty Act

Under the Migratory Bird Treaty Act (16 U.S.C. 703-712: Ch. 128 as amended) (MBTA) construction activities in grassland, wetland, stream, woodland, and river bank habitats 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. If development in this area is planned to occur during the primary nesting season or at any other time which may result in the "take" of nesting migratory birds, we would request that the project proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If a field survey identifies the existence of one or more active bird nests that cannot be avoided by the planned construction activities, the Nebraska Game and Parks Commission and the Nebraska Field Office, U.S. Fish and Wildlife Service should be contacted immediately. For more information about the MBTA and avoiding impacts to migratory birds, or to report active bird nests that cannot

be avoided by planned construction activities, please contact Eliza Hines, Nebraska Field Office, U.S. Fish and Wildlife Service, 9325 South Alda Road, Wood River, NE 68883. Adherence to these guidelines will help avoid the unnecessary take of migratory birds.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA) requires consultation with the U.S. Fish and Wildlife Service (Service) and the State fish and wildlife agency (i.e., Nebraska Game and Parks Commission) for the purpose of preventing loss of and damage to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. This statute requires that federal agencies take into consideration the effect that the water related project would have on fish and wildlife resources, to take action to prevent loss or damage to these resources, and to provide for the development and improvement of these resources. The comments in this letter are provided as technical assistance only and are not the document required of the Secretary of the Interior pursuant to Section 2(b) of FWCA on any required federal environmental review or permit. This technical assistance is valid only for the described conditions and will have to be revised if significant environmental changes or changes in the proposed project take place. In order to determine whether the effects to fish and wildlife resources from the proposed project are being considered under FWCA, the lead federal agency must notify the Service in writing of how the comments and recommendations in this technical assistance letter are being considered into the proposed project.

Section 404 of the Clean Water Act

In general, the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service have concerns for impacts to wetlands, streams and riparian habitats. We recommend that impacts to wetlands, streams, and associated riparian corridors be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. If any fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office in Omaha should be contacted to determine if a 404 permit is needed.

Agency Contact Information

Nebraska Game and Parks Commission

Carey Grell
2200 North 33rd Street
Lincoln, NE 68503
phone: (402) 471-5423
email: carey.grell@nebraska.gov

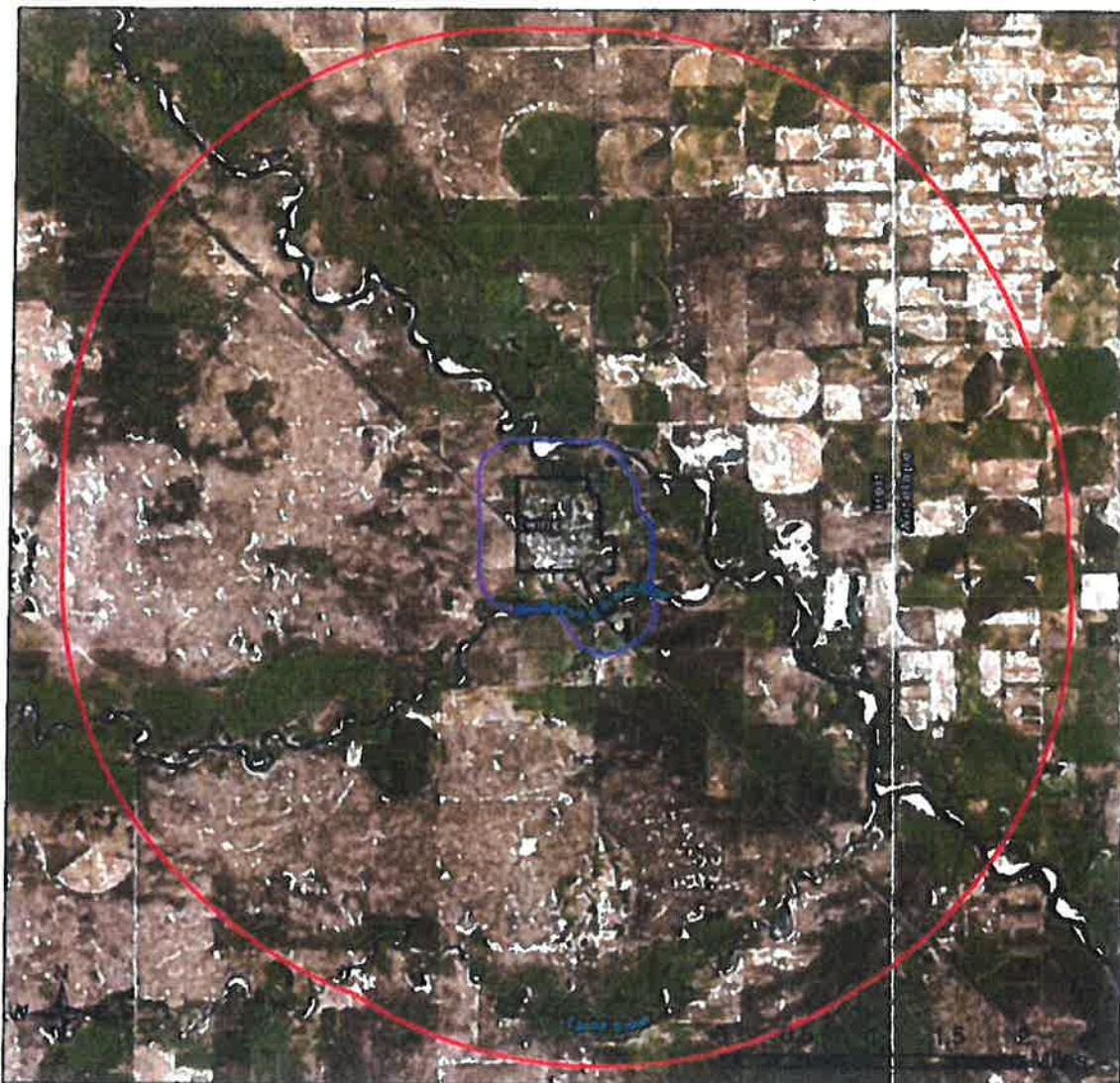
U.S. Fish and Wildlife Service




Eliza Hines
9325 South Alda Road
Wood River, NE 68883
phone: (308) 382-6468 ext. 204
email: eliza_hines@fws.gov

OR

Ryan Joe
2200 North 33rd Street
Lincoln, NE 68503
phone: (402) 471-5554
email: ryan.joe@nebraska.gov

Village of Ewing Water Improvements Project Aerial Image Basemap With Locator Map



-  Project Boundary
-  Project Review Boundary
-  3-mile Information Buffer Boundary

Project Size (acres): 242.47

Lat/Long (DD): 42.2594 / -98.3428

County(s): Holt

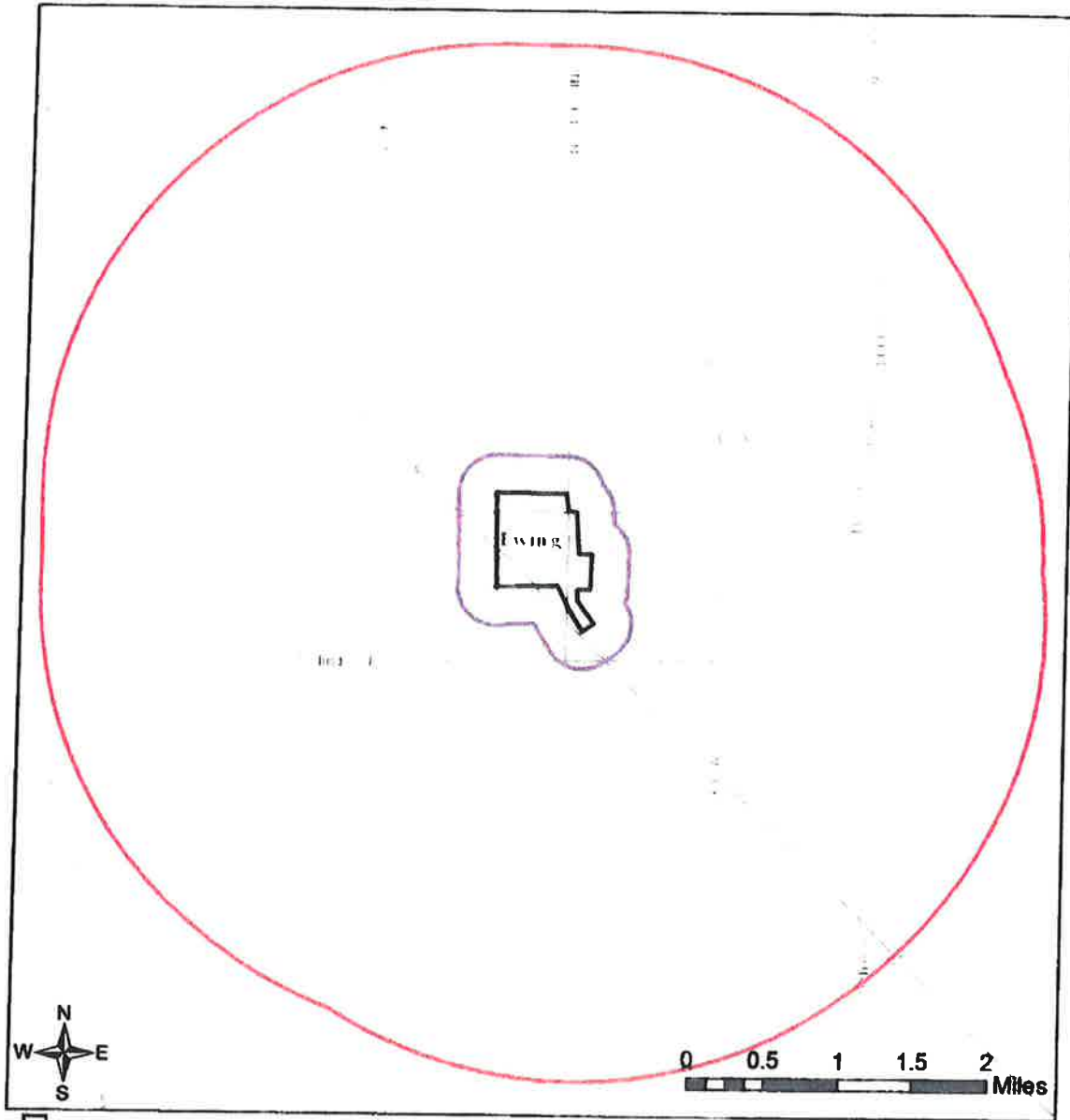
BUL(s): Elkhorn River Headwaters

Township/Range/Section(s): T26R09WS02; T26R09WS03; T27R09WS34; T27R09WS35



Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

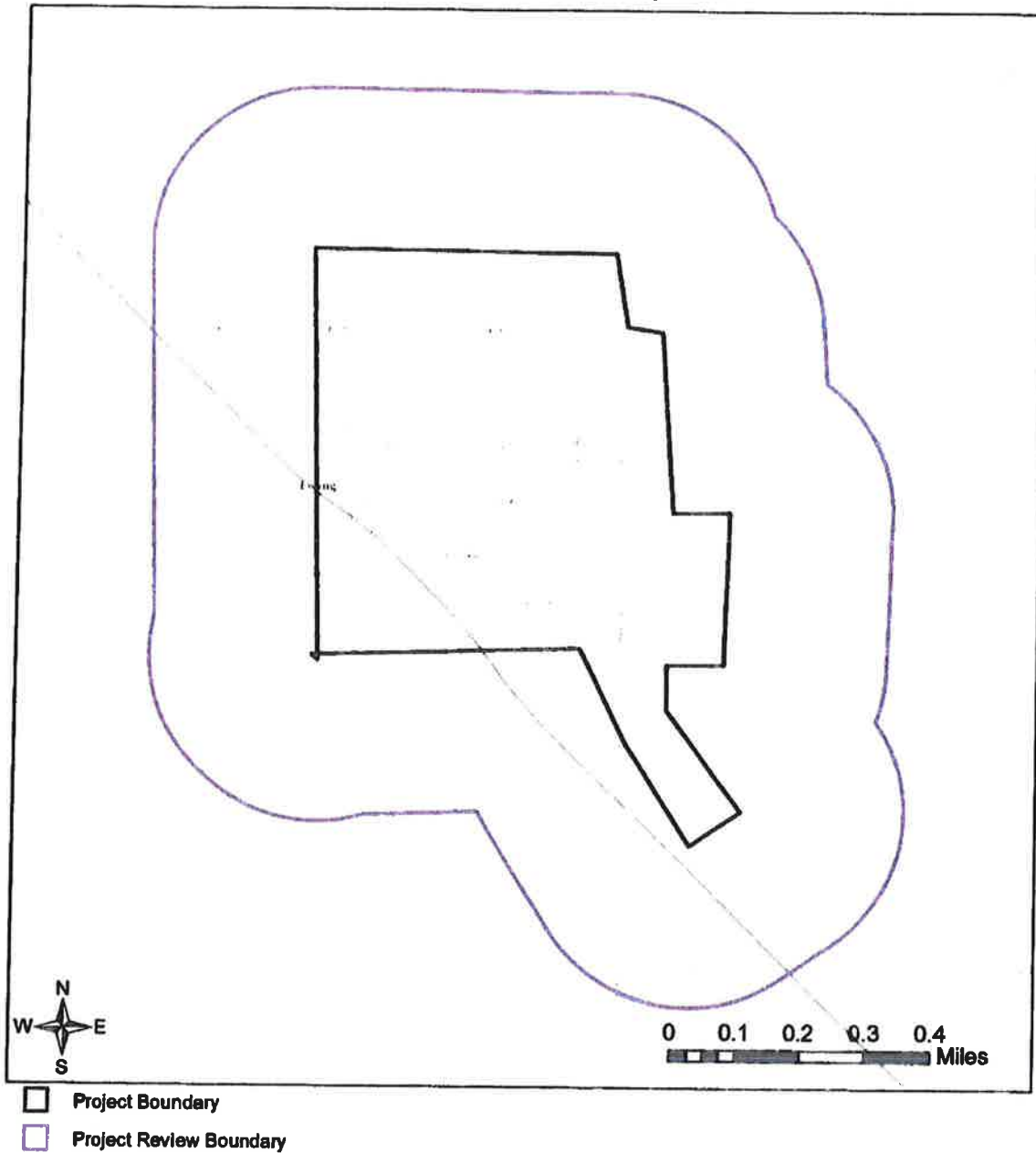
Village of Ewing Water Improvements Project Topographic Basemap With Sections and Protected Areas



- | | | |
|---|---|--|
| Project Boundary | Protected Areas Database (USGS) | Other Federal |
| Project Review Boundary | U.S. Fish & Wildlife Service | Tribal |
| 3-mile Information Buffer Boundary | U.S. Forest Service | Conservation Organization |
| Sections | Natural Resources Conservation Service | Other State (non-NGPC) |
| NGPC Properties | Army Corps of Engineers | Other (City, Unknown) |
| PAD (USGS) - boundaries | Bureau of Reclamation | |

Sources: Esri HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Village of Ewing Water Improvements Project Web Map As Submitted By User



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Documented Occurrences in Immediate Vicinity of Project (project review area):
 Natural communities and special areas

Name	Other Information	SRank	GRank
Elkhorn River Headwaters Biologically Unique Landscape	Link to BUL document		
Large Intact Block of Habitat for At-risk Species			

Documented Occurrences in Immediate Vicinity of Project (project review area):
 Protected areas

This table has no results.

Potential Occurrences in Immediate Vicinity of Project (project review area):
 Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	USFS	SRank	GRank
Athene cucularia	Burrowing Owl	Range			Tier 1	S	S3	G4
Atrytone arogos iowa	Iowa Skipper	Range			Tier 1		S1	G3T3
Catocala nuptialis	Married Underwing	Range			Tier 1		SNR	G3G4
Catocala whitneyi	Whitney Underwing	Range			Tier 1		S1	G3G4
Cicindela lepida	Ghost Tiger Beetle	Range			Tier 1		S2	G3G4
Cyprididum candidum	Small White Lady's Slipper	Range		Threatened	Tier 1		S1	G4
Emydoidea blandingii	Blanding's Turtle	Range			Tier 1		S4	G4
Fundulus sciadicus	Plains Topminnow	Range			Tier 1	S	S3	G4
Grus americana	Whooping Crane	Range			Tier 1		S1	G1
Haliaeetus leucocephalus	Bald Eagle	Range	Endangered	Endangered	Tier 1	S	S3	G5
Hesperia ottoe	Ottoe Skipper	Range			Tier 1	S	S2	G3G4
Hyllocichla mustelina	Wood Thrush	Range			Tier 1		S3	G4
Lamprolaima cardium	Plain Pocketbook	Range			Tier 1		S2	G5
Lanius ludovicianus	Loggerhead Shrike	Range			Tier 1	S	S2S3	G4
Lontra canadensis	River Otter	Model		Threatened	Tier 1	S	S2	G5
Myotis septentrionalis	Northern Long-eared Myotis	Range	Threatened	Threatened	Tier 1		SNR	G1G2
Microphorus americanus	American Burying Beetle	Range			Provisional			
Numenius americanus	Long-billed Curlew	Range	Endangered	Endangered	Tier 1	S	S1	G2G3
		Range			Tier 1		S3	G5

Potential Occurrences in Immediate Vicinity of Project (project review area):
 Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps

Scientific Name	Common Name	Data Type	USFWS Threatened	State Threatened	SGCN Tier	USFS S Rank	GRank
Platanthera praecleara	Western Prairie Fringed Orchid	Range			Tier 1	S2	G2
Schoenoplectus hallii	Hall's Bulrush	Range			Tier 1	S	G2
Speyeria idalia	Regal Fritillary	Range			Tier 1	S	G4
Tyrngites subruficollis	Buff-breasted Sandpiper	Range			Tier 1	S2N	G4
Tympanuchus cupido	Greater Prairie-chicken	Range			Tier 1	S3S4	G4
Vireo bellii	Bell's Vireo	Range			Tier 1	S4	G5

Species
 EXHIBIT 5

▼ **Census Demographic Data**

Address: 209 E NEBRASKA ST, EWING, NE, 68735
 MSA-State-County-Tract: NA-31-089-9741.00

Census Income Population Housing

Tract Population	2550
Tract Minority %	2.75
Number of Families	755
Number of Households	1160
Non-Hispanic White Population	2480
Tract Minority Population	70
American Indian Population	15
Asian/Hawalian/Pacific Islander Population	2
Black Population	0
Hispanic Population	35
Other/Two or More Races Population	18





2018 FFIEC Geocode Census Report

Address: 209 E NEBRASKA ST, EWING, NE, 68735
 MSA: NA - NA (Outside of MSA/MD)
 State: 31 - NEBRASKA
 County: 089 - HOLT COUNTY
 Tract Code: 9741.00

Summary Census Demographic Information

Tract Income Level	Middle
Underserved or Distressed Tract	Yes*
2018 FFIEC Estimated MSA/MD/non-MSA/MD Median Family Income	\$68,000
2018 Estimated Tract Median Family Income	\$61,594
2010 Tract Median Family Income	\$55,602
Tract Median Family Income %	90.58
Tract Population	2550
Tract Minority %	2.75
Tract Minority Population	70
Owner-Occupied Units	891
1- to 4- Family Units	1328

Census Income Information

Tract Income Level	Middle
2010 MSA/MD/statewide non-MSA/MD Median Family Income	\$61,382
2018 FFIEC Estimated MSA/MD/non-MSA/MD Median Family Income	\$68,000
% below Poverty Line	18.03
Tract Median Family Income %	90.58
2010 Tract Median Family Income	\$55,602
2018 Estimated Tract Median Family Income	\$61,594
2010 Tract Median Household Income	\$43,553

Census Population Information

Tract Population	2550
Tract Minority %	2.75
Number of Families	755
Number of Households	1160
Non-Hispanic White Population	2480
Tract Minority Population	70
American Indian Population	15
Asian/Hawaiian/Pacific Islander Population	2
Black Population	0
Hispanic Population	35
Other/Two or More Races Population	18

Census Housing Information

Total Housing Units	1388
1- to 4- Family Units	1328
Median House Age (Years)	62
Owner-Occupied Units	891
Renter Occupied Units	269
Owner Occupied 1- to 4- Family Units	891
Inside Principal City?	NO
Vacant Units	228

November 15, 2017
Kearney, Nebraska



1111 Central Ave. Kearney, NE 68847 6833

Tel 308-234-6456
Fax 308 234 1146
www.miller-engineers.com

Nebraska State Fire Marshal
Thermal/Explosive Hazards Division
Attn: Rosemary Hatton
246 South 14th Street
Lincoln, NE 68508-1804

RE: Water System Improvements Project
Ewing, Nebraska
M&A Project No. 368-C1-002

Dear Ms. Hatton,

The Village of Ewing is in the planning phase of the development of a water system improvements project. The improvements consist of the replacement and extension of water mains, replacement of the water tower, and well improvements. All work will take place within municipal limits. These improvements may be partially funded by a Nebraska Department of Health and Human Services/Nebraska Department of Environmental Quality State Revolving Fund Grant/Loan (SRF), USDA-Rural Development Nebraska Department of Economic Development-CDBG and other federal or state funding sources. One figure is enclosed which shows the outlined area depicting the potential area of impact.

The environmental review area includes parts of Section 34, Township 27 North, Range 9 West and parts of Sections 2 and 3, Township 26 North, Range 9 West, Holt County, Nebraska. The latitude/longitude coordinates for the approximate center of Ewing are 42°15'36"/-98°20'38".

The purpose of this letter is to request your review and response regarding any environmental impacts that your Agency may identify for this proposed project pursuant to the National Environmental Policy Act.

We request that you advise us of any comments that you may have regarding this project within thirty days, so the Village of Ewing can proceed with finalizing the funding of this project and completion of the environmental review.

If you have any questions concerning this proposed project or if you need any further information, please feel free to advise this office at your convenience. You may also email your questions or comments to ktillotson@miller-engineers.com

Sincerely
MILLER & ASSOCIATES
CONSULTING ENGINEERS, P C

A handwritten signature in cursive script that reads 'Keith T. Ilotson'.

Keith T. Ilotson
Environmental Technician

Enclosure

Joene Crocker - M&A

From: Brandt, Sharon <Sharon.Brandt@nebraska.gov>
Sent: Friday, November 17, 2017 12:45 PM
To: Keith Tillotson
Subject: FW: Ewing Tanks
Attachments: Ewing Tanks.xlsx

Sharon Brandt
Staff Assistant, Fuel Division

Nebraska State Fire Marshal Agency
246 S. 14th Street | Lincoln, NE 68508
Office | 402-471-9465

Sharon.brandt@nebraska.gov
sfm.nebraska.gov | [Facebook](#)
Arson Hotline 1-888-WY-ARSON

From: Brandt, Sharon
Sent: Friday, November 17, 2017 12:27 PM
To: 'klittotson@miller-engineers.com'
Subject: Ewing Tanks

This is in response to your inquiry dated November 15, 2017, regarding the environmental review for the above referenced project. At this time there are no facts known that would impact this project.

I have completed a search on our databases. I have attached here a search of **underground** storage tanks (UST) and **aboveground** storage tanks (AST) for the city in question.

Other issues related to construction, such as plan reviews and installation permits, are also not addressed in this response.

If you find that the proposed construction may be affected by underground storage tanks or if you have further questions, please contact me.

Sharon Brandt
Staff Assistant, Fuel Division

Nebraska State Fire Marshal Agency
246 S 14th Street | Lincoln, NE 68508
Office | 402-471-9465

Sharon.brandt@nebraska.gov
sfm.nebraska.gov | [Facebook](#)
Arson Hotline 1-888-WY-ARSON

AST

AST

Facility	Facility ID	Facility City	Facility Address	Facility State	Facility Zip	Facility Count	Facility Phone
D & S Oil & Propane Co	573 Ewing	Ewing	Hwy 275	NE	68735	Holt	n/a
Holt County Road Dept	574 Ewing	Ewing	L-45B	NE	68735	Holt	402-626-7233
Knievels Inc	575 Ewing	Ewing	RR 1 Box 71	NE	68735	Holt	402-485-2598
Summerland Golf Course	576 Ewing	Ewing	RR 1	NE	68735	Holt	402-626-7292
BOLLWITT BROTHERS	2319 EWING	EWING	107 SOUTH STATE HIGHWAY 45B	NE	68735	HOLT	402-340-0174
Battle Creek Coop - Ewing Location	2415 Ewing	Ewing	224 Front Street	NE	68735	Holt	402-626-7997

U5T

U5T

Facility ID	Facility Name	Address	City	Facility / City	Zip	Facility / Country	Owner Name	Address	City	State	Zip	Tanks In Use	Tanks Temp Out of Use	Tanks Perm Out of Use	Tanks Closed in Place	Tanks Removed
11601	AG AGRONOMY CENTER LLC					AG AGRONOMY CENTER LLC										
4608	BUD TOMLACK	RR BOX 41	EWING	68735	HOLT	BUD TOMLACK	RR BOX 41	EWING	NE	68735	402-482-26	3	0	0	0	0
6659	EWING RENEWATION	Unknown	EWING	68735	HOLT	BILL HOBBS	Unknown	EWING	NE	68735	402-526-71	0	0	0	0	1
6909	HINNICHSEN SAND & GRAVEL	Unknown	EWING	68735	HOLT	HINNICHSEN, LAWRENCE	Unknown	EWING	NE	68735	402-526-71	0	0	0	0	0
8134	HOLT COUNTY ROADS DEPT	HWY 458 LINK	EWING	68735	HOLT	HOLT COUNTY ROAD DEPT	RR 1 BOX 51	EWING	NE	68735	402-526-71	0	0	0	0	0
1895	JERRYS CONOCO	HWY 275 W	EWING	68735	HOLT	JOSEPH & LOYCE THRAMER	HC 65 BOX 113	EWING	NE	68735	402-526-71	0	0	0	0	0
4272	KURGERWEIT PARTNERSHIP	SEC 21-25-95 1W 1/2S EWING	EWING	68735	HOLT	KURGERWEIT PARTNERSHIP	208 WALWART ST	EWING	NE	68735	402-526-71	0	0	0	0	2
3177	PACTON OIL INC	2ND & PINE	EWING	68735	HOLT	PACTON OIL INC	PO BOX 8	EWING	NE	68735	402-526-71	0	0	0	0	0
6551	ROCKER CONOCO	2ND & PINE	EWING	68735	HOLT	SMITH, YANON MRS	Unknown	EWING	NE	68735	402-526-71	0	0	0	0	0
7898	ROTHERHAM SERVICE	NEBODUSA & CEDAR ST	EWING	68735	HOLT	EDWARD ROTHERHAM	PO BOX 327	EWING	NE	68735	402-526-71	0	0	0	0	0
6117	TERNA INTERNATIONAL INC	HWY 275 & 458	EWING	68735	HOLT	TERNA INTL INC	600 FOURTH ST	EWING	IA	51101	712-277-11	0	0	0	0	0
1807	WASH DUT	HWY 275 & 458	EWING	68735	HOLT	DONALD RUMODE	211 STATE HWY 458	EWING	NE	68735	402-526-71	0	0	0	0	0
8991	WESTEND MINI MAAT	250 W HWY 275	EWING	68735	HOLT	D&S OIL & PROD INC dba WESTEND MINI MAAT	PO BOX 263	EWING	NE	68735	402-526-71	0	0	0	0	0
5525	WILLIAM HOBBS	HOBBS FEEDLOT	EWING	68735	HOLT	HOBBS, WILLIAM	PO BOX 308	EWING	NE	68735	402-526-71	0	0	0	0	0

Explosive and Flammable Operations
EXHIBIT 7

Joene Crocker - M&A

From: Vanek, Wayne - NRCS, Lincoln, NE <Wayne.Vanek@ne.usda.gov>
Sent: Monday, November 20, 2017 9:44 AM
To: Keith Tillotson
Subject: Village of Ewing, Nebraska Water System Improvements Project - M&A Proj. No. 368-C1-002

United States Department of Agriculture



Subject: FPPA response for: Village of Ewing, Nebraska Water System Improvements Project - M&A Proj. No. 368-C1-002

Date: 11/20/2017

ATTENTION: Mr. Keith Tillotson – Environmental Technician – M&A

I am responsible for the Farmland Protection Policy Act (FPPA) concerns and have reviewed the information you sent regarding the project for which you requested review of impacts. This review only covers FPPA concerns and does not include any other environmental concerns such as wetlands or endangered species. For general conservation concerns or questions relating to wetlands under the jurisdiction of the Food Security Act, contact your local county Natural Resources Conservation Service office.

It has been determined that a Farmland Conversion Impact Rating form (AD-1006) will not be needed on this project since the project site is within the city limits, and no additional cropland will be taken out of production, thus, **NRCS has determined that your project was found to be cleared of FPPA significant concerns.** We encourage you to continue to be aware of prime and important farmlands in general and the role they play in current and future projects.

Wayne Vanek
USDA-NRCS
Fed. Bldg. Rm. 152
100 Centennial Mall North
Lincoln, NE. 68508-3866
402.437.4125

November 15, 2017
Kearney Nebraska



1111 Central Ave Kearney, NE 68847 6833

Tel. 308 234 6456
Fax 308 234 1146
www.miller-engineers.com

Mitch Paine
Natural Resources Planner Coordinator
Department of Natural Resources
P O Box 94676
Lincoln, NE 68508

RE: Water System Improvements Project
Ewing, Nebraska
M&A Project No 368-C1-002

Dear Mr. Paine,

The Village of Ewing is in the planning phase of the development of a water system improvements project. The improvements consist of the replacement and extension of water mains, replacement of the water tower, and well improvements. All work will take place within municipal limits. These improvements may be partially funded by a Nebraska Department of Health and Human Services/Nebraska Department of Environmental Quality State Revolving Fund Grant/Loan (SRF), USDA-Rural Development, Nebraska Department of Economic Development-CDBG and other federal or state funding sources. One figure is enclosed which shows the outlined area depicting the potential area of impact.

The environmental review area includes parts of Section 34, Township 27 North, Range 9 West and parts of Sections 2 and 3, Township 26 North, Range 9 West, Holt County, Nebraska. The latitude/longitude coordinates for the approximate center of Ewing are 42° 15' 36" / -98° 20' 38".

The purpose of this letter is to request your review and response regarding any environmental impacts that your Agency may identify for this proposed project pursuant to the National Environmental Policy Act.

We request that you advise us of any comments that you may have regarding this project within thirty days, so the Village of Ewing can proceed with finalizing the funding of this project and completion of the environmental review.

If you have any questions concerning this proposed project or if you need any further information, please feel free to advise this office at your convenience. You may also email your questions or comments to ktillotson@miller-engineers.com.

Sincerely
MILLER & ASSOCIATES
CONSULTING ENGINEERS, P C

A handwritten signature in cursive script that reads 'Keith Tillotson'.

Keith Tillotson
Environmental Technician

Enclosure

Joene Crocker - M&A

From: Beethe, Brandon <brandon.beethe@nebraska.gov>
Sent: Thursday, December 14, 2017 12:03 PM
To: Keith Tillotson
Cc: Thompson, Mike
Subject: Ewing Water System Improvements
Attachments: Ewing_Rs_20171214_GW.PDF

Dear Mr. Tillotson,

As requested, the Nebraska Department of Natural Resources has reviewed the proposed project in Ewing for any impacts on surface water appropriations, registered groundwater wells, and floodplain management. Our comments are attached.

I would like to point out that there is no regulated floodplain along the Elkhorn River because Holt County has not been mapped yet for the National Flood Insurance Program. The county is currently in the process of being mapped along the Elkhorn watershed and depending on the outcome of the mapping process and the timetable of Ewing's Water System Improvement project, a floodplain development permit may be required in the future. Until then, the risk of flooding should be kept in mind when building, constructing, or excavating in lower areas and along the creek.

Thanks

Brandon Beethe

NATURAL RESOURCES SPECIALIST II | DAM SAFETY AND FLOODPLAIN MANAGEMENT

Nebraska Department of Natural Resources

301 Centennial Mall South

P.O. Box 94676

Lincoln, Nebraska 68509

OFFICE 402-471-2242

brandon.beethe@nebraska.gov

dnr.nebraska.gov



November 17, 2017

Keith Tillotson
Environmental Technician
Miller & Associates
1111 Central Ave
Kearney, Nebraska 68847-6833

RE: HP# 1711-083-01, Village of Ewing Water System Improvement Project – Water Main, Tower, Well Replacements, M&A Project No. 368-C1-002, Sec 34, T27N, R9W, Holt County

Dear Mr. Tillotson:

Thank you for submitting the information for the above referenced project for Nebraska State Historic Preservation Office review and comment under Section 106 of the National Historic Preservation Act of 1966, as amended in 2014 (Title 54 U.S.C § 306108 [formerly 16 U.S.C § 470f]), and its implementing regulations at 36 CFR § 800.

According to the information provided along with a check of Nebraska State Historical Society records, the ground disturbing activities associated with the proposed water system projects (water main, tower, and well replacements/ improvements) around the Village of Ewing are unlikely to impact any prehistoric or historic cultural resources listed on the National Register or eligible for such a listing. Thus, a determination of *no historic properties affected* is appropriate for this undertaking and the project should continue as planned.

However, since the project area has not been directly evaluated by professional archeologists there is the possibility that currently buried or otherwise obscured cultural or human remains may be discovered during the undertaking. If any such discovery is made, please contact this office immediately for further instruction.

Be advised that this determination does not necessarily reflect the opinion of any Native American Tribes that might have an interest in the area, nor does it pertain to Traditional Cultural Properties, if they exist in the area.

Please submit this letter to the project's lead federal agency to fulfill the statutory obligation of Section 106 consultation with the Nebraska State Historic Preservation Office. Should you have any questions regarding this determination, please contact this office by phone (402-471-2609) or email (John.Rissetto@nebraska.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "John Rissetto", is written over a light blue horizontal line.

John Rissetto, Ph.D. Preservation Archeologist

1500 R Street
PO Box 82554
Lincoln, NE 68501-2554
p (800) 833-6747
(402) 471-3270

Historic Preservation
www.nebraskahistory.org
EXHIBIT 10

NEBRASKA

Good Life. Great Water.

DEPT. OF NATURAL RESOURCES

Project Review

DATE: December 14, 2017
TO: Keith Tillotson, Miller & Associates
FROM: Brandon Beethe, NeDNR
SUBJECT: Ewing Water System Improvements

As requested, the Nebraska Department of Natural Resources (NeDNR) has reviewed the proposed project for potential impacts to surface water rights, registered groundwater wells, and floodplain management, and has listed the comments below:

Surface Water Rights

According to NeDNR records there are no appropriations appurtenant to the proposed project location.

Groundwater Wells

According to NeDNR records, there are 5 public supply wells within the 1,000 foot spacing for the proposed project area and 64 other registered wells within the proposed project area. Please note that the attached map shows the 1,000 foot spacing but does not show the public supply well locations. Please contact the local municipality for more information on public supply well names and locations. All other registered wells are shown on the map. Special care should be taken to locate and avoid impacting these wells in any significant way. Given the number of registered wells in this area, I have attached a list of the wells with their registration number and latitude and longitude coordinates. If the registration status, use, or ownership of a well changes due to the project, one or both of the following forms must be filed with NeDNR: the water well registration modification form and/or the change of ownership form. Furthermore, the appropriate Natural Resources District (NRD), which may have additional rules and regulations regarding such changes, should be notified. If you have any questions on groundwater well registration, please contact Mike Thompson at 402.471.0587 or reference the groundwater links below.

Groundwater general information: <http://dnr.nebraska.gov/groundwater>

Groundwater well data: <http://nednr.nebraska.gov/dynamic/wells/Menu.aspx>

Groundwater forms: <https://dnr.nebraska.gov/groundwater/forms>

Local NRD Information: <https://www.nrdnet.org/nrds/find-your-nrd>

Floodplain Management

NeDNR did not identify any regulated floodplains within the proposed project area.

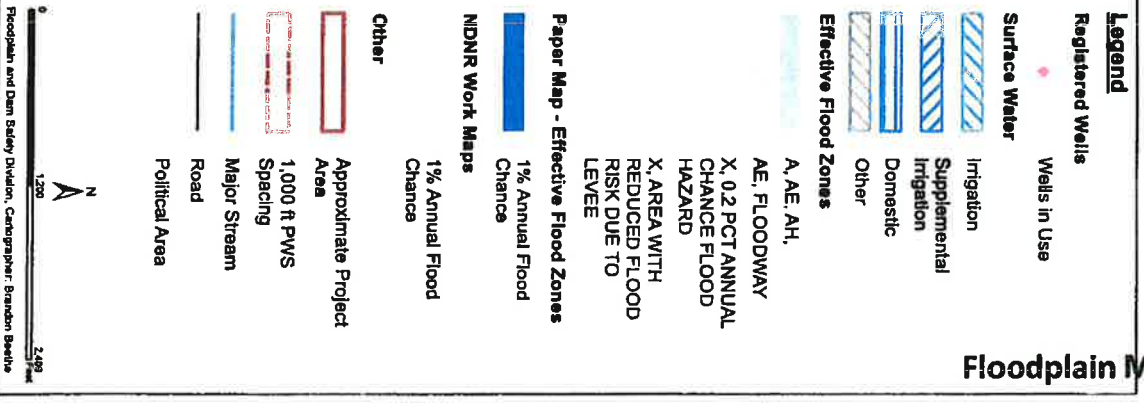
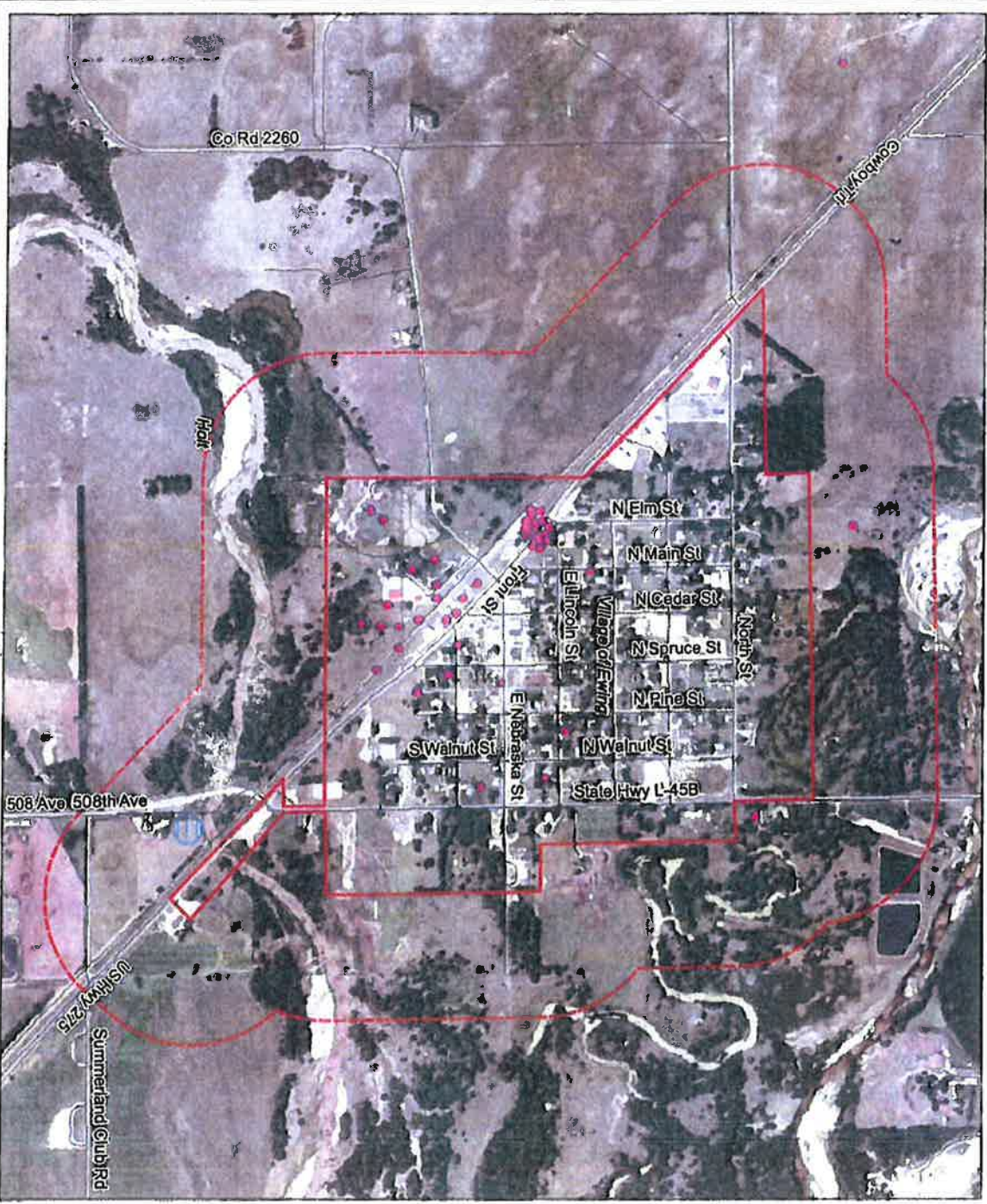
If you have any questions about this review, please feel free to contact me at 402.471.2242 or brandon.beethe@nebraska.gov.

Enclosure (2)

Cc: Mike Thompson, NeDNR

Ewing Water System Improvements

Village of Ewing, Holt County, Nebraska
12/14/2017



NEBRASKA
Good Life. Great Water
DEPT. OF NATURAL RESOURCES
Floodplain Management
EXHIBIT 11

Wells in Ewing									
Registration No.	Latitude	Longitude	Status	Use ID	SubSection	Section	Township	Range	RangeDir
G-084534	42.256264	-98.34684	A	C	SWNE	3	26	9	W
G-135308	42.255722	-98.346583	A	D	SWNE	3	26	9	W
G-163934	42.2551	-98.348031	A	D	NWSE	3	26	9	W
G-163935	42.254825	-98.348328	A	D	NWSE	3	26	9	W
G-102387	42.259173	-98.341719	A	G		3	26	9	W
G-155700	42.259722	-98.346417	I	H	NWNE	3	26	9	W
G-160649	42.257222	-98.340139	I	H	SENE	3	26	9	W
G-163898	42.258694	-98.340361	I	H	SENE	3	26	9	W
G-160415I	42.258567	-98.347808	A	J	SWNE	3	26	9	W
G-160415J	42.258539	-98.347769	A	J	SWNE	3	26	9	W
G-160415K	42.258536	-98.347633	A	J	SWNE	3	26	9	W
G-160415L	42.2585	-98.347683	A	J	SWNE	3	26	9	W
G-160415M	42.258481	-98.347575	A	J	SWNE	3	26	9	W
G-160415N	42.258486	-98.347497	A	J	SWNE	3	26	9	W
G-160415O	42.258428	-98.348006	A	J	SWNE	3	26	9	W
G-160415P	42.258411	-98.347586	A	J	SWNE	3	26	9	W
G-160415Q	42.258453	-98.347619	A	J	SWNE	3	26	9	W
G-160415R	42.258442	-98.347717	A	J	SWNE	3	26	9	W
G-160415S	42.258411	-98.347658	A	J	SWNE	3	26	9	W
G-160415T	42.258383	-98.347775	A	J	SWNE	3	26	9	W
G-160415U	42.258372	-98.347714	A	J	SWNE	3	26	9	W
G-160415V	42.258358	-98.347922	A	J	SWNE	3	26	9	W
G-160415W	42.258342	-98.347667	A	J	SWNE	3	26	9	W
G-160415A	42.258542	-98.347656	A	L	SWNE	3	26	9	W
G-160415B	42.2585	-98.347644	A	L	SWNE	3	26	9	W
G-136910A	42.258865	-98.34773	A	Q	SWNE	3	26	9	W
G-136910B	42.258743	-98.347553	A	Q	SWNE	3	26	9	W
G-136910C	42.258623	-98.347399	A	Q	SWNE	3	26	9	W
G-136910D	42.258519	-98.347717	A	Q	SWNE	3	26	9	W
G-136910E	42.258369	-98.347874	A	Q	SWNE	3	26	9	W
G-136910F	42.258443	-98.348235	A	Q	SWNE	3	26	9	W
G-136910G	42.258796	-98.347331	A	Q	SWNE	3	26	9	W
G-136910H	42.258641	-98.347096	A	Q	SWNE	3	26	9	W
G-136910I	42.258476	-98.347178	A	Q	SWNE	3	26	9	W
G-136910J	42.258323	-98.347549	A	Q	SWNE	3	26	9	W
G-105252A	42.256507	-98.345065	A	Q	SWNE	3	26	9	W
G-105252B	42.256896	-98.34569	A	Q	SWNE	3	26	9	W
G-105252C	42.255429	-98.344888	X	Q	NWSE	3	26	9	W
G-105252C	42.255416	-98.344888	A	Q	NWSE	3	26	9	W
G-105252D	42.255031	-98.344928	A	Q	NWSE	3	26	9	W
G-105252E	42.255165	-98.345519	A	Q	NWSE	3	26	9	W
G-105252F	42.254932	-98.343635	A	Q	NESE	3	26	9	W
G-105252G	42.255393	-98.34426	A	Q	NESE	3	26	9	W
G-105252H	42.255848	-98.34507	A	Q	SWNE	3	26	9	W
G-105252I	42.256292	-98.345695	A	Q	SWNE	3	26	9	W

G-105252J	42.256728	-98.345248	A	Q	SWNE	3	26	9	W
G-105252K	42.256776	-98.344324	A	Q	SENE	3	26	9	W
G-105252L	42.256295	-98.346101	A	Q	SWNE	3	26	9	W
G-105252M	42.254591	-98.345005	A	Q	NWSE	3	26	9	W
G-105252N	42.255805	-98.342927	A	Q	SENE	3	26	9	W
G-105252O	42.256523	-98.343439	A	Q	SENE	3	26	9	W
G-105252P	42.257228	-98.346094	A	Q	SWNE	3	26	9	W
G-105252Q	42.257729	-98.343208	A	Q	SENE	3	26	9	W
G-105252R	42.257729	-98.343171	A	Q	SENE	3	26	9	W
G-131752A	42.258591	-98.347846	A	Q	SWNE	3	26	9	W
G-131752B	42.25872	-98.347908	A	Q	SWNE	3	26	9	W
G-131752C	42.258659	-98.348197	A	Q	SWNE	3	26	9	W
G-131752D	42.258491	-98.348106	A	Q	SWNE	3	26	9	W
G-160415C	42.258522	-98.347644	A	R	SWNE	3	26	9	W
G-160415D	42.258469	-98.347508	A	R	SWNE	3	26	9	W
G-160415E	42.258361	-98.347664	A	R	SWNE	3	26	9	W
G-160415F	42.258447	-98.347714	A	R	SWNE	3	26	9	W
G-160415G	42.258372	-98.3478	A	R	SWNE	3	26	9	W
G-160415H	42.25855	-98.347772	A	R	SWNE	3	26	9	W

Status

A - Active

I - Inactive

X - Abandoned

Use ID

C - Commercial/Industrial

D - Domestic

G - Ground Heat Exchanger Well

H - Heat Pump Well

J - Injection

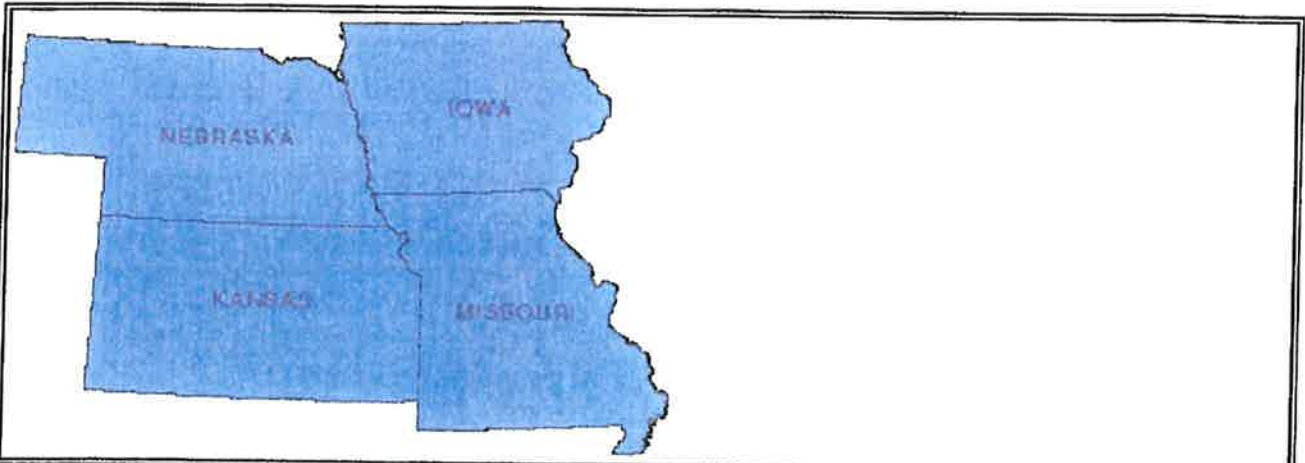
L - Observation

Q - Monitoring

R - Recovery

Designated Sole Source Aquifers in EPA Region VII

Iowa, Kansas, Missouri, Nebraska



REGION VII (IA, KS, MO, NE)

Stephanie Lindberg
Drinking Water/Ground Water Branch
EPA Region 7
901 N. 5th Street
Kansas City, KS 66101
phone: (800) 223-0425
email: lindberg.stephanie@epa.gov

There are no designated Sole Source Aquifers in Region VII. Contact the coordinator above for more information about designating SSAs in Region VII.

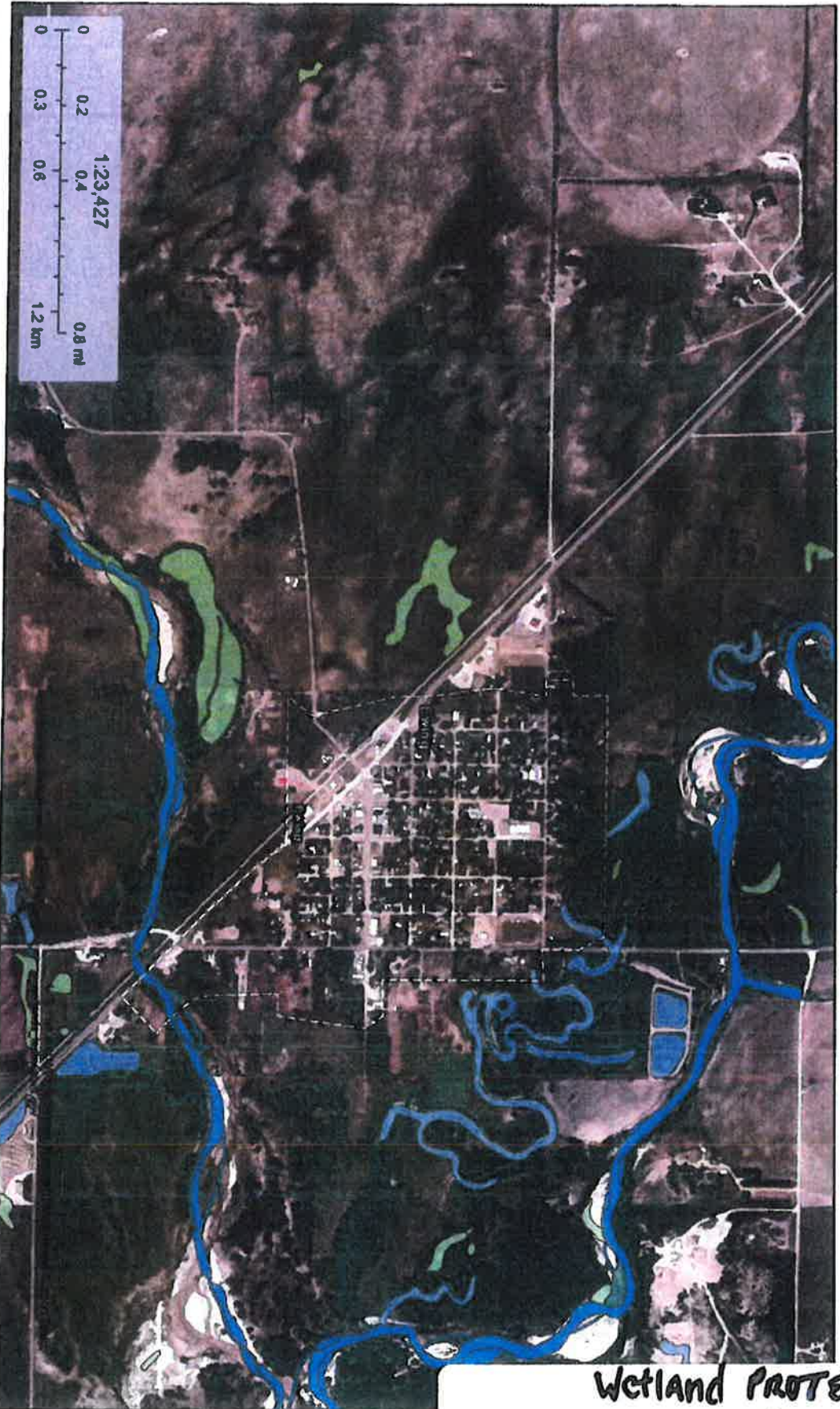
Return to: [Sole Source Aquifer program home page](#)

**SOLE SOURCE AQUIFIERS
EXHIBIT 12**



U.S. Fish and Wildlife Service
National Wetlands Inventory

Ewing, Holt County, Nebraska



April 16, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Wetland PROTECTION
EXHIBIT 13



* Ewing

North Platte •

Omaha •



Legend ↙

— Wild Scenic Rivers

Wild & Scenic Rivers
EXHIBIT 14

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

Date of Publication: April 25, 2019

Village of Ewing
209 East Nebraska
Ewing, NE 68735
402-626-7718

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Village of Ewing.

REQUEST FOR RELEASE OF FUNDS

On or after May 14, 2019, the Village of Ewing will submit a request to the Nebraska Department of Economic Development (DED) for the release of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974, as amended to undertake the following project:

Project Title: Ewing Water System Improvements

Purpose: Water system improvements will be made in the Village of Ewing, Holt County, Nebraska, that include constructing a new water storage facility located at Walnut and Nebraska Street, looping the water mains at North Street and Ash Street; East Jackson Street; Jackson and Main; Nebraska and Cedar and South Walnut, and well improvements which are located at Well 58-1, 66-1, 73-1.

Project Cost: CDBG funds will assist in funding the water storage facility at \$350,000, as well as \$25,000 in General Administration and \$10,000 in Construction Management. The Village will fund the remaining project with Drinking Water State Revolving Funds (DWSRF) in an estimated amount of \$525,000 loan and \$114,646 in loan forgiveness. Total project costs are estimated to be \$1,024,646.

Location: All activity will take place within the Village of Ewing, Holt County, Nebraska.

FINDING OF NO SIGNIFICANT IMPACT

The Village of Ewing has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the Village Hall, 209 East Nebraska, Ewing, Nebraska 68735 and may be examined or copied weekdays 8 A.M to 3 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Village of Ewing. All comments received by May 10, 2019, will be considered by the Village of Ewing prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

The Village of Ewing certifies to DED that James Ramold in his capacity as Village Chairperson consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. DED's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Village of Ewing to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

DED will accept objections to its release of fund and the Village of Ewing certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Village of Ewing; (b) the Village of Ewing has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by DED; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to DED at

Nebraska Department of Economic Development
Community and Rural Development Division
P.O. Box 94666
Lincoln, NE 68509-4666

Potential objectors should contact DED to verify the actual last day of the objection period.

James Ramold, Village Chairman
Village of Ewing

THE STATE OF NEBRASKA } SS
ANTELOPE COUNTY

LuAnn Schindler, being duly sworn on oath, says that she is the managing editor of the Clearwater Record-Ewing News, a weekly and legal newspaper of general circulation in said county; that the annexed notice, which is part of this proof of publication, was published each week at Clearwater, Antelope County, Nebraska, for.....~~1~~ successive weeks, the first publication being on the ~~25~~ day of.....~~April~~.....A.D., 20..~~19~~.., and the last publication being on the ~~25~~ day of.....~~April~~.....A.D., 20..~~19~~..; that said newspaper was published in Clearwater, within said county for more than fifty-two consecutive weeks immediately prior to commencement of the publication of said notice and every week consecutively since that time; that during all of the said times said newspaper had a bona fide circulation of more than 300 copies weekly and was printed in the English language and in an office maintained by the systems coordinator at said place of publication. I have personal knowledge of facts herein.

LuAnn Schindler
.....
LuAnn Schindler

Subscribed and sworn to before me this *21* day of *May*.....
A.D., 20.....*19*

Joan M. Wright
.....
Notary Public



**NOTICE OF FINDING OF NO
SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO
REQUEST RELEASE OF
FUNDS**

Village of Ewing
209 East Nabraska
Ewing, NE 68735
402-626-7718

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Village of Ewing.

**REQUEST FOR RELEASE
OF FUNDS**

On or after May 14, 2019, the Village of Ewing will submit a request to the Nebraska Department of Economic Development for the release of Community Development Block Grant funds under Title I of the Housing and Community Development Act of 1974, as amended to undertake the following project:

**Project Title: Ewing Water
System Improvements**

Purpose: Water system improvements will be made in the Village of Ewing, Holt County, Nebraska, that include constructing a new water storage facility located at Walnut and Nebraska Street, looping the water mains at North Street and Ash Street; East Jackson Street; Jackson and Main; Nebraska and Cedar and South Walnut and well improvements which are located at Well 58-1, 66-1, 73-1.

Project Cost: CDBG funds will assist in funding the water storage facility at \$350,000, as well as \$25,000 in general administration and \$10,000 in construction management. The Village will fund the remaining project with Drinking Water State Revolving Funds in an estimated amount of \$525,000 loan and \$114,646 in loan forgiveness.

Total project costs are estimated to be \$1,024,646.

Location: All activity will take place within the Village of Ewing, Holt County, Nebraska.

**FINDING OF NO
SIGNIFICANT IMPACT**

The Village of Ewing has determined that the project will have no significant impact on the human environment. Therefore, an environmental impact statement under the National Environmental Policy Act of 1969 is not required. Additional project information is contained in the environmental review record on file at the Village Hall, 209 East Nebraska, Ewing, Nebraska 68735 and may be examined or copied weekdays 8 a.m. to 3 p.m.

PUBLIC COMMENTS

Any individual, group or agency may submit written comments on the ERR to the Village of Ewing. All comments received by May 10, 2019, will be considered by the Village of Ewing prior to authorizing submission of a request for release of funds. Comments should specify which notice they are addressing.

RELEASE OF FUNDS

The Village of Ewing certifies to DED that James Ramold, in his capacity as Village Chairperson, consents to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. DED's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Village of Ewing to use HUD program funds.

**OBJECTIONS TO RELEASE
OF FUNDS**

DED will accept objections to

its release of funds and the Village of Ewing certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request, whichever is later, only if they are on one of the following bases: (a) the certification was not executed by the certifying officer of the Village of Ewing; (b) the Village of Ewing has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by DED or (d) another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to DED at Nebraska Department of Economic

Development
Community and Rural
Development Division
P.O. Box 94666

Lincoln, NE 68509-4666

Potential objectors should contact DED to verify the actual last day of the objection period.

James Ramold,
Village Chairman
Village of Ewing

Publish April 25, 2019
ZNEZ

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 03/31/2020)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) CDBG Program	2. HUD/State Identification Number 18-WW-002	3. Recipient Identification Number (optional) DUNS # 949734800
4. OMB Catalog Number(s) CFDA No. 14.228	5. Name and address of responsible entity Village of Ewing, 209 East Nebraska Ewing, NE 68735	
6. For information about this request, contact (name & phone number) James Ramold, (402) 626-7718	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request Nebraska Department of Economic Development PO Box 94666 Lincoln, NE 68509-4666		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) Village of Ewing Water System Improvements	10. Location (Street address, city, county, State) 209 East Nebraska, Ewing, Holt County, Nebraska
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11. Program Activity/Project Description

The Village of Ewing is undertaking a Water System Improvement Project. The environmental review area includes parts of Section 34, Township 27 North, Range 9 West and parts of Sections 2 and 3, Township 26 North, Range 9 West, Holt County, Nebraska. The latitude/longitude coordinates for the approximate center of Ewing are 42°15'36"/-98°20'38". The proposed project will include constructing a new water storage facility located at [Walnut and Nebraska Street], looping the water mains at [North Street and Ash Street; East Jackson Street; Jackson and Main; Nebraska and Cedar and South Walnut], and well improvements which are located at [Well 58-1, 66-1, 73-1]. CDBG funds will assist in funding the water storage facility at \$350,000, as well as \$25,000 in General Administration and \$10,000 in Construction Management. The Village will fund the remaining project with Drinking Water State Revolving Funds (DWSRF) in an estimated amount of \$525,000 loan and \$114,646 in loan forgiveness. Total project costs are estimated to be \$1,024,646. The Village of Ewing has a low-to-moderate-income population of 53.70% according to a recent 2018 Income Survey.

Part 2. Environmental Certification (to be completed by responsible entity)


With reference to the above Program Activity(les)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity



X

Address of Certifying Officer

Title of Certifying Officer

Board Chairman

Date signed

5-13-19

Village of Ewing, 209 East Nebraska, Ewing, NE 68735

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

Date signed

X

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)