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CLEAN WATER STATE REVOLVING LOAN FUND PROGRAM
(CWSRF)

FINDING OF NO SIGNIFICANT IMPACT

TO: All Interested Citizens, Government Agencies and Public Groups

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

This information reviews the environmental impact likely from a project. This project is planned to be federally funded 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 Environmental Quality encourages public input in this decision-making process.

PROJECT NAME: Wastewater Treatment Facility
Cody, Nebraska
APPLICANT: Village of Cody
COUNTY: Cherry County
POPULATION: 154
CWSRF PROJECT NUMBER: C317388
TOTAL PROJECT AMOUNT: \$1,100,000
ESTIMATED CWSRF LOAN AMOUNT: \$750,000
POTENTIAL CWSRF PRINCIPAL FORGIVENESS: \$100,000
POTENTIAL SMALL TOWN GRANT: \$250,000

The Village of Cody, Nebraska, in Cherry County is planning an upgrade to their wastewater treatment facility. The Village has applied for financial assistance through the Clean Water State Revolving Fund (CWSRF) loan program to build the project.

Cody operates a two-cell complete retention lagoon system which was constructed in the 1970's. There is a main lift station in very poor condition. The existing lagoon system consists of two cells with a water surface area of 2.3 acres total. However, only one cell is normally used. The lagoon appears to be seeping excessively.

The project proposes to rehabilitate the lift station and then update wastewater flows. Cody will then confirm the need for lagoon expansion or evaluate an alternate wastewater treatment system. The proposed expanded three-cell complete retention lagoon is the only feasible treatment system identified. It will be constructed by rehabilitating the two existing cells and adding a third cell adjacent to the existing lagoon.

The 2010 census population of Cody is 154. The proposed system is being designed for a population of 154 for 2040. A design flow of 18,000 gallons per day is used to size the system. The proposed system will continue as a complete retention lagoon while correcting seepage to within state standards. The total system will have a surface area of ten acres.

The project is included in the 2015 Intended Use Plan. A CWSRF Loan of \$750,000 will be used to finance the project. The CWSRF loan will be assessed an effective interest rate of 2.5% for a 20-year term. It consists of 1.5% interest plus 1.0% state administrative fee. The Village is also eligible for loan forgiveness of \$100,000 and a small town grant of \$250,000. Actual forgiveness and grant will depend on availability of funds. Sewer use fees will be pledged to repay the loan. Residential customers now pay a flat rate of \$7.50 per month. This is scheduled to increase to \$15 per month with the May 1, 2015 billing. The Village of Cody has 96 sewer connections. The projected monthly user charge is estimated to be \$48.80 per month. The debt service for the CWSRF loan will be about \$41.30 per month per user.

A public hearing to discuss the project was held on March 10, 2015. There was no opposition to the project expressed at the public hearing. Ten acres of land will be needed for the construction of the new lagoon. The Nebraska State Historical Society stated the lagoon area needs to be surveyed for archaeological remains and a report submitted to their office for review, prior to any ground disturbance. The project will comply with their recommendations. The United States Army Corps of Engineers commented that the project does not appear to involve a regulated discharge of dredged or fill material under Section 404 of the Clean Water Act. The U.S. Fish and Wildlife Service stated it appears unlikely the project would have significant environmental impacts on the resources under their authority. The Nebraska Dept. of Natural Resources found no comments regarding surface water rights, registered ground water wells, or floodplain management.

The NDEQ Ground Water Section advised the lagoons are not in the Village wellhead protection area. The depth to groundwater is estimated to be about 25 feet plus or minus 10 feet from the ground surface in the area of the lagoons. Based on the near surface sands to silty sands over Ogallala Formation sediments described in the area well logs and depth to groundwater, any leakage from the existing lagoons is likely to reach and impact local groundwater.

The project will have a positive impact on the environment. It will protect the area groundwater.

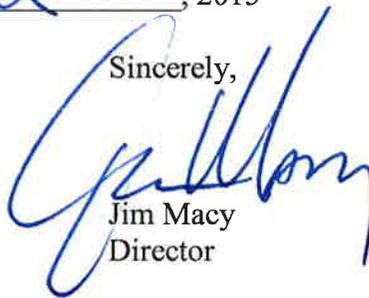
The review did not indicate a significant environmental impact would result from the proposed action. An archaeological survey will be completed of the lagoon area. No threatened or endangered species will be affected. Impacts to wildlife habitat will be minimal. The project specifications will include provisions that require compliance with the Migratory Bird Treaty Act in order to protect nesting migratory birds. The project is not in the floodplain. The lagoon will be sealed and separated from groundwater according to NDEQ's Title 123 design standards. A construction storm water permit will be required by this Department since more than one acre of land is being disturbed. No significant increases in noise levels or odors are expected. The

project has been planned to ensure that no segment of the community's population suffers disproportionately from human health or environmental effects.

Consequently, a preliminary decision has been made that an Environmental Impact Statement (EIS) will not be prepared. This action is taken on the basis of a careful review of the facility plan, the environmental information document, the environmental assessment, and other supporting data, which are on file in the office of the Nebraska Department of Environmental Quality (NDEQ). These are available for public review upon request. A copy of the environmental assessment is attached. The NDEQ will not take any administrative action on the project for at least 30 calendar days from the date shown below. Persons disagreeing with the above environmental decision may submit comments to Susan Hoppel, Review Engineer of the Technical Assistance Section of NDEQ, who can be reached at (402) 471-4697 or email: susan.hoppel@nebraska.gov during this period.

Signed this 9 day of April, 2015

Sincerely,

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

Jim Macy
Director

JM/skh

Attachments: Environmental Assessment
Distribution List
Maps