

CATEGORICAL EXCLUSION DETERMINATION

FOR THE PROPOSED PROJECT OF: Tower City (Cass County), North Dakota

CLEAN WATER STATE REVOLVING FUND PROJECT NUMBER: 380852-03

The North Dakota Department of Environmental Quality (NDDEQ) has conducted a review of the proposed lagoon system improvements for the City of Tower City in accordance with the National Environmental Policy Act (40 CFR Part 6). The NDDEQ has determined that this project is eligible for a categorical exclusion and is exempt from further substantive environmental review.

Because the proposed project meets the criteria for a categorical exclusion, a full Finding of No Significant Impact and Environmental Assessment will not be required. Following is a description of the proposed project and a brief statement of how the project meets the criteria for a categorical exclusion.

The proposed project consists of improvements to the wastewater lagoon system. The lagoon dikes have suffered significant erosion, threatening the structural integrity of the system. In addition, the transfer piping between cells has multiple gate valves that are no longer functioning. Further erosion of the dike could potentially result in failure and the release of raw sewage.

The proposed project will involve repairing the lagoon dikes and replacing the non-functioning gate valves. The improvements will reinforce the structural integrity of the system and ensure the reliable operation of the wastewater lagoon system.

The City of Tower City has applied for a Clean Water State Revolving Fund loan of \$585,000 to finance the project. The city has the legal authority and financial and administrative capability to construct the proposed improvements.

This project is being granted an exclusion because the improvements will be confined to the existing lagoon footprint. No previously undisturbed areas will be affected by the construction activities. The North Dakota State Historic Preservation Officer has concluded that no historic properties will be affected by this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source (ND SHPO Ref.: 22-6008). It has been determined that exempting the proposed project from further review under the National Environmental Policy Act will not result in adverse impacts to the population or area of Tower City and Cass County.

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The documentation to support this decision will be on file and available for public review at the NDDEQ, Division of Municipal Facilities.

Comments concerning this decision may be addressed to Ryan Allery, Environmental Engineer, Division of Municipal Facilities, North Dakota Department of Environmental Quality, 4201 Normandy Street, Bismarck, ND 58503-1324.

Dated the 19th day of September 2022.

David J. Bruschwein, P.E.
Director
Division of Municipal Facilities