

DRINKING WATER STATE REVOLVING LOAN FUND PROGRAM

FINDING OF NO SIGNIFICANT IMPACT (FNSI)

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: Cedar-Knox Rural Water Project (CKRWP): Interconnection with the City of Yankton, S.D., Water Storage, and Transmission/Distribution Mains
APPLICANT: Lewis and Clark Natural Resources District (NRD)
COUNTY: Cedar
POPULATION: 3,056
DWSRF PROJECT NUMBER: D311697
TOTAL LOAN AMOUNT: \$15,000,000
PROPOSED DWSRF LOAN FORGIVENESS AMOUNT: 50.00%
PROPOSED AMOUNT OF LOAN FORGIVENESS: \$7,500,000
PROPOSED DWSRF LOAN AMOUNT: \$7,500,000
AMOUNT OF OTHER GRANTS: CDS (\$10,000,000) and ARPA (\$7,000,000)

The Lewis and Clark NRD has applied for funding for the above-referenced project through the Drinking Water State Revolving Fund (DWSRF) program administered by the NDEE. The CKRWP, overseen by the Lewis & Clark NRD, treats surface water from Lewis & Clark Lake to provide drinking water to approximately 933 hookups serving 3,056 residents in northern Cedar and Knox Counties including the communities of Crofton, Fordyce, St. Helena, and Obert. There are three main concerns to address within the scope of the project. First, the intake structure in the Lake is expected to be inundated by sediment in approximately 20 years or less. Sediment movement was greatly exacerbated from the floods of 2011 and 2019. When the sediment reaches and covers the intake it will no longer be a viable structure to supply an adequate amount of water to meet system demands. Secondly, as the sediment advances, there is an increase in organic matter in the raw water source leading to increased chlorine treatment. The reaction between the organics and chlorine results in Disinfection Byproducts (DBP) which are regulated by EPA's Safe Drinking Water Act. CKRWP is under Administrative Order for the DBP Total-Trihalomethane (TTHM) and must take steps to remedy DBPs. Lastly, production capacity at the treatment plant and portions of the distribution system are at or near their maximum sustainable levels.

This project includes an interconnection to the City of Yankton, South Dakota, water storage tanks, booster pump and transmission/distribution mains. The connection to Yankton South Dakota will not only address the sediment threatening the existing intake structure but the sourced water will have reduced organics resulting in lower TTHM's, better overall quality in regard to lowered hardness, manganese, and nitrates than the current supply. Distribution upgrades will include water main replacement in areas that have seen significant growth over the last several years and provide a much-needed increase in operating pressures and volume. Also included will be a replacement of a failing storage tank facility.

According to the Priority Ranking System in the 2025 Intended Use Plan (IUP), this project scored 160 priority points which is considered to be high priority, and it is included on the Project Priority Funding List. Based on documentation on file, the project was determined to be eligible for a DWSRF loan with a corresponding principal forgiveness rate of 50.00%.

The proposed project was reviewed by Federal and State agencies for environmental impacts. A number of the agencies responding indicated there would be no adverse impact, have no effect, posed no concern, or had no comment. The U.S. Fish and Wildlife Service (USFWS) does not anticipate adverse impacts to threatened and endangered species based on the conservation measures outlined in the biological assessment prepared by the District's Engineering Consultant.

The Nebraska Department of Natural Resources (NeDNR) has reviewed the proposed project for potential impacts to jurisdictional dams, floodplain management, registered groundwater wells, stream gages, and surface water rights. The review did not identify any potential impacts except according to their records, there is one (1) public supply well within the 1,000-foot spacing for the proposed project area. A map was attached to the review that showed the 1,000-foot spacing but did not show the public supply well location. The local municipality was contacted and indicated that there were no wells in the 1,000-foot spacing. NeDNR records also indicate that surface water appropriation A-16270 is appurtenant to the proposed project location. If the details of the surface water right are permanently modified in some way by the project, appropriate modification requests will need to be provided to the NeDNR for review.

The Nebraska Game and Parks Commission (NGPC) has responsibility for protecting endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (Neb. Rev. Stat. § 37-801 to 37-814), and management of other fish and wildlife resources in the state of Nebraska. In addition, the NGPC also provided recreational opportunities at a variety of state parks, recreation areas, and wildlife management areas which the project will not impact.

According to the provided Conservation and Environmental Review Tool (CERT) report, this project is within range of the state and federally listed endangered northern long-eared bat (*Myotis septentrionalis*), pallid sturgeon (*Scaphirhynchus alba*) and scaleshell mussel (*Leptodea leptodon*); the state and federally listed threatened piping plover (*Charadrius melodus*); the state listed endangered interior least tern (*Sternula antillarum athalassos*), and sturgeon chub (*Macrhybopsis gelida*); and the state listed threatened lake sturgeon (*Acipenser fulvescens*). Suitable habitat for all the species listed above exists within or near the project area. Aquatic species listed above may be present in the Missouri River at the location of the proposed crossing. In response the District's Engineering Consultant confirmed that the project will not be impacting the riverbed, channel, or shore, no construction runoff will be deposited in the river, and boring will not occur during the spawning

timeframe of March 1 – June 30; therefore, adverse impacts to lake sturgeon, pallid sturgeon, scaleshell mussel, and sturgeon chub are not anticipated.

Piping plovers and least terns may utilize sandbars or sandy banks near the project area to nest. However, in addition to no work impacting the river or its banks, the District's Engineering Consultant will plan that that boring and installation of the water main will occur outside of piping plover and interior least tern nesting season (August 16 – April 14th) and no other construction activities will occur within 0.25 miles of suitable nesting habitat; therefore, negative impacts to these species are not anticipated. Northern long-eared bats may utilize mature trees within the project area. The District's Engineering Consultant confirmed that all tree removal or trimming will occur October 1 – March 31, during the bat's inactive season and no temporary or permanent lighting (besides what is required by the FAA) will be installed or used; therefore, negative impacts to northern long-eared bats are not anticipated.

Based on the information provided, we concur with the project proponent's determination that the proposed project **"May Affect, but is Not Likely to Adversely Affect"** interior least tern, northern long-eared bat, or piping plover and acknowledge no impacts are anticipated on all other state-listed endangered or threatened species.

The USDA-Natural Resources Conservation Service (NRCS) evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA). The proposed sites contain areas of Prime Farmland and the combined Farmland Conversion Impact Rating form (AD-1006) rating of the proposed ground storage, booster pump station and elevated storage tanks sites within Cedar County is 149. The combined rating of the proposed booster pump site within Knox County is 151. The FPPA law states that sites with a rating less than 160 will need no further consideration for protection and no additional evaluation is necessary. The installation of buried water lines is exempt from the provisions of FPPA under Nebraska Instruction_310_403, NE403.40 FPPA Exemptions b) and Part 523- Farmland Protection Policy Act Manual Subpart B., E. Other Exemptions (2). Erosion control methods during the construction of this project will be required.

The U.S. Army Corps of Engineers indicated that an application for a permit should be submitted if fill material will be placed into a Water of the United States. However, fill material will not be placed in any Water of the United States for the proposed project.

The Nebraska State Historic Preservation Office noted that the ground disturbing activities do have the potential to affect historic properties eligible for listing in the National Register of Historic Places, if present. It has been requested that areas that have not been previously surveyed be surface surveyed, and where appropriate, subsurface tested by a professional archaeologist or archaeological firm prior to onset of the project. In addition, the archaeologist is requested to contact NESHPO prior to developing a survey plan and the plans should contain the visual effects of the project on the surrounding landscape. It will be a requirement of any loan agreement that construction cannot commence until the findings of the State Historical Preservation Office are addressed, unless they are satisfactorily addressed prior to the signing of the agreement.

CKRWP is eligible for a 40-year loan at an interest rate of 0.7 percent. In addition to principal and interest payments, an administrative fee of 0.7 percent of the principal balance will be assessed each year. The revenues from CKRWP water utility will be dedicated to repay the loan. The projected annual DWSRF

Debt Service (including 10% coverage) for the project is \$294,265.74. For a typical rural water connection, the current monthly minimum rate is of \$46.08 with a maintenance fee of \$11.52, and a cost of \$6.29 per 1000 gallons resulting in an average monthly water bill of \$89.05 for a typical 5,000-gallon monthly household water use. Based on 933 active service connections, monthly household rates may need be raised \$26.28 to pay for the new debt service.

A Public Hearing was held at 10:00 A.M. on November 12, 2024, during which the Engineer was available to discuss details of the project and the expected project cost. However, no one from the public was present for the hearing and no public comments were made. The hearing was advertised the weeks of October 7th through November 4, 2024 (5 weeks) starting 36 days in advance of the meeting.

The NRD 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 NDEE to help the public water system return into compliance with the Safe Drinking Water Act. The system last underwent a routine sanitary survey by the NDEE on October 10, 2024 wherein one deficiency was found. The deficiency was addressed per the letter to the Department dated October 31, 2024. That completed survey is the first step of the Technical, Managerial, and Financial, (TMF) program policy. The City submitted a Community Public Water System Capacity Survey to assess the water systems TMF capacity in 2022 and again at the end of 2024. Both assessments of the system indicate that they have adequate TMF capacity. Assessment of the water system capacity will continue on a triennial basis to ensure that their capabilities meet the requirements of the Safe Drinking Water Act. Also, their current Enforcement Targeting Tool score is 0, below the allowable 11 per issued U.S. Environmental Protection Agency guidance.

No significant environmental impacts have been identified that would result from the proposed action. All necessary permits for construction or discharges will be obtained from the appropriate agencies (e.g., NDNR, NRD, NDEE, etc.). 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 engineering reports and other supporting data that are on file with NDEE. All are available for public review upon request. 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 via email to ndee.srf@nebraska.gov.

Signed this 21st day of March, 2025.

Sincerely,



Sarah Starostka
Administrator
Planning and Aid Division

Attachments: Environmental Assessment
Distribution List
Map

ENVIRONMENTAL ASSESSMENT DOCUMENT

A. Project Identification:

Applicant: Lewis and Clark Natural Resources District (NRD)
Project No.: D311697
City: Hartington (Cedar Knox Rural Water Project)
County: Cedar County
State: NE
Estimated Project Cost: \$15,000,000
Proposed DWSRF Loan Forgiveness Percentage: 50.00%
Proposed Amount of Loan Forgiveness: \$7,500,000
Proposed DWSRF Loan Amount: \$7,500,000
Amount of Other Grants: CDS (\$10,000,000) and ARPA (\$7,000,000)

B. Community Description:

Location: The Cedar Knox Rural Water Project (CKRWP) is operated by Lewis and Clark NRD in the rolling hills of Northeast Nebraska, served by Nebraska State Highways 57 and 84. It is approximately 50 miles northeast of Norfolk, Nebraska and 54 miles northwest of South Sioux City, Nebraska.

Population: The rural water district community has shown a steady growth pattern from 2011 through 2020 and is expected to continue albeit possibly at a slower pace with customers increasing from 918 in 2021 to 1,214 by 2036.

Current Water System Facilities: CKRWP serves 933 customers in Cedar and Knox County. The District operates and maintains a water treatment plant that utilizes Lewis & Clark Lake as the water source. The water supply system is divided into four hydraulic service areas. There are three (3) ground storage tanks and one (1) standpipe that provide storage within the system. The fourth service area is provided an elevated hydraulic grade line through a booster pump station that meets instantaneous demands. The west tanks are filled by the high-service pumps from the water treatment plant. The remaining storage tanks are filled by in-line booster pump stations. The facility utilizes lime softening treatment then the water is chlorinated and fluoridated prior to clearwater storage.

C. Project Description:

This project includes implementing an approved water supply contract with Yankton, SD, establishing a master meter connection, a pipeline crossing of the Missouri River, approximately 7.75 miles of new 16" transmission main, 2 water storage tanks, and 2 booster pump stations. Water storage will be addressed by a new elevated tank with a minimum volume of 75,000 gallons with alternative sizes from 100,000 gallons to 125,000 gallons. Booster pump improvement from 140 gpm to 200 gpm will help meet the future peak demands. Transmission main improvements will reduce friction and increase pressure by replacement of some 8-inch piping with 12-inch, and replacement of some existing 8 inch. Additionally, expansion of 4-, 6-, 8- and 12-inch piping in the distribution system and looping will also reduce friction and increase

system pressure. The interconnection will not only reduce organics in the source water, resulting in lower Disinfection Byproducts (DBP) Total-Trihalomethane (TTHM) but also address the increase in demand, i.e., a reasonable amount of future growth.

D. Alternatives Considered:

Alternatives considered were:

1. No Project;
2. Upgrades to the Existing Water Treatment Plant and Intake Structure;
3. New Surface Water Intake and Water Treatment Plant in the South Yankton, SD Area;
4. Purchased Finish Water from Yankton, SD;
5. Develop Groundwater Supply and New Water Treatment Plant;
 - a. Aten Site
 - b. Dolphin Site
 - c. Other Site

Evaluation and Selection of the Alternative:

Parts of the Cedar Knox Water Treatment Plant are approaching fifty years old from the original construction in the early 1970's. In 1981 and 1991, the plant underwent major expansions. The plant was expanded in 1981 by an additional solids contact clarifier and packaged medial filter. This expansion increased the capacity of the treatment plant to 0.8 MGD (560 gpm). In 1991, another parallel train consisting of a solids contact basin and package filter was added. This increased the capacity of the treatment plant to 1.0 MGD (700 gpm). A second clearwell was added in 2002 for more flexibility. Based on the future water projections, the peak day demands of the system will exceed the existing treatment plant's capacity between 2026 and 2031. It is recommended that additional supply improvement be made in the next 5 to 7 years.

The Water System Analysis and Development Plan developed by Bartlett and West was recently updated on July 7, 2023, with a community grant update in January of 2025. This plan included input from the staff at the Lewis and Clark NRD, CKRWP and the University of Nebraska Department of Natural Resources. It was determined that the most reasonable plan is to collect water quality and quantity data from the Aten and Dolphin Site. The inability to purchase land in both of those areas shifted the project focus to purchasing water from Yankton, SD.

If no project were funded future water demands and quality would not be met due to movement of sediment in the lake which will eventually over taking the intake structure making it unusable. CKRWP is under Administrative Order for the TTHM and as the sediment advances, there is an increase in organic matter in the raw water source leading to increased chlorine treatment and increased DBP which are regulated by EPA's Safe Drinking Water Act CKRWP. Lastly, production capacity at the treatment plant and portions of the distribution system are at or near their maximum sustainable levels.

E. Environmental Impact Summary:

Primary.

Construction: Temporary impacts caused by construction include noise and dust, a limited potential for soil erosion, and fuel/oil spills. A construction permit will be obtained from the Engineering Section of the NDEE for the interconnection to Yankton, SD, water towers and mains, and a booster station.

Environmental: The proposed project was reviewed by numerous Federal and State agencies for environmental impacts. The construction contracts will require that the contractors return the area to its original or better condition. The area required for the project will be minimal. The U.S. Fish and Wildlife Service (USFWS) does not anticipate adverse impacts to threatened and endangered species based on the conservation measures outlined in the biological assessment. Certain construction months will be avoided to protect possible vulnerable species that may be nesting or spawning as per information provided from Nebraska Game and Parks Commission (NGPC). The Nebraska State Historic Preservation Office noted that the ground disturbing activities do have the potential to affect historic properties eligible for listing in the National Register of Historic Places, if present. It has been requested that areas that have not been previously surveyed be surface surveyed, and where appropriate, subsurface tested by a professional archaeologist or archaeological firm prior to onset of the project. In addition, the archaeologist is requested to contact NESHPO prior to developing a survey plan and the plans should contain the visual effects of the project on the surrounding landscape. It will be a requirement of any loan agreement that construction cannot commence until the findings of the State Historical Preservation Office are addressed, unless they are satisfactorily addressed prior to the signing of the agreement. The Nebraska Department of Natural Resources did not identify any potential impacts to floodplain management, jurisdictional dams, or stream gages. The USDA Natural Resources Conservation Service outlined the sites with a rating less than 160 per the Farmland Protection Policy Act (FFPA) will need no further consideration for protection and no additional evaluation will be necessary as all areas fall under the 160 rating. The U.S. Army Corps of Engineers noted the applicability of their Section 404 permit requirements if it is determined that fill material would be placed into Waters of the U.S. Typically during project design, activities can be planned to avoid fill placement, such as boring of the transmission lines or proper routing of pump test discharges. This project does not anticipate placement of any fill material.

Financial: An application for DWSRF loan assistance has been received for the project to fund the interconnection to Yankton, S.D. The total estimated project cost is \$32,000,000, with a need for \$15,000,000 of DWSRF assistance. The DWSRF can provide financing for eligible costs through a loan with a repayment term up to 40 years with an annual interest rate of 0.7 percent and an annual administrative fee of 0.7 percent. The Lewis and Clark Natural Resources District is eligible for 50.00% DWSRF loan forgiveness. For an estimated cost of \$15,000,000, this would equate to a forgiveness amount of \$7,500,000. If executed, the community will have an annual DWSRF debt service of \$294,265.74, which includes a ten percent coverage that is required on all loans. The revenues from CKRWP will be dedicated to repay the loan. For a typical residential/rural water connection, the current monthly minimum rate is \$46.08 with a water maintenance fee of \$11.52, and a cost of \$6.29 per 1000 gallons resulting in an average monthly

water bill of \$89.05 for a typical 5,000-gallon monthly household water use. Based on 933 active service connections, monthly household rates may need be raised \$26.28 to pay for the new debt service. An assessment of costs and revenues will be conducted after completion of the project.

Secondary.

Population Impacts: The CKWRP is needed due for future growth which is projected to go from the current 933 hookups to 1220 by the year 2036. The current system cannot be maintained due to the current source water which is projected to be unusable within 20 years or less. The new source will address the production of DBP of which the system is currently under an Administrative Order for the DBP TTHM.

Land Use and Trends: The master meter pit will be located adjacent to Yankton's existing water treatment plant. The Missouri River crossing will be directionally drilled under the river with a 16-inch-high density polyethylene (HDPE) pipe to avoid issues with moving the river channel. This crossing will be installed at a depth to avoid issues with a moving river channel or other erosion issues that could occur along the water way. The two water storage tanks and booster pump stations will consist of a ground storage tank to be placed on top of the bluff, 2.5 miles south of the Missouri River adjacent to U.S. Highway 81. A 2.0 million gallon per day booster pump station will be constructed on the downstream side of this ground storage tank and will boost the pressure of the water to the proposed elevated water storage tank to be constructed to the southwest, near the intersection 553rd Avenue & 895th Road. The ground storage tank and booster station will occupy approximately 0.91 acres, the elevated water storage tank will occupy 1.15 acres, and the other booster station will comprise of approximately 1.64 acres. All water mains will be placed below ground at a depth where they will not interrupt any planned practices.

Environmental: Minimal solid waste generated by the project will be recycled or disposed of in a licensed landfill. No safety, vibration, noise or aesthetic considerations were identified other than the normal noise and disruptions.

Environmental Justice: The proposed project will not produce any environmental justice concerns. All structures will be placed in areas previously disturbed through agriculture, and the services provided by the new towers, mains, booster station and interconnection will be available to everyone, equally. No segments of CKRWP and the surrounding communities of Crofton, Fordyce, Obert, or Helena populations are impacted disproportionately from related effects.

Mitigation measures necessary to eliminate adverse environmental effect: Proper construction techniques will be utilized to minimize soil erosion and other potential impacts of construction. An NPDES permit for stormwater runoff associated with construction activity and a Stormwater Pollution Prevention Plan will be required by NDEE, if more than one acre of land will be disturbed. The community can designate the General Contractor as the authorized representative on the stormwater permit notice of intent submitted to the NDEE. Authorization of stormwater runoff from the construction activities must be in place prior to commencing construction.

Irreversible and irretrievable commitment of resources: The resources committed to the project include the equipment, materials, and energy used in construction.

F. Measures Taken to Ensure Environmental Soundness:

Public Involvement: A Public Hearing was held November 12, 2024, during which the Engineer was available to discuss details of the project and the expected project cost. However, no one from the public was present for the meeting. The hearing was advertised during the weeks of October 7th through November 4, 2024 (5 weeks) starting 36 days in advance of the hearing.

Public Opposition or Opinions: No comments were made.

Coordination and Documentation with Other Agencies and Special Interest Groups:

Facility Planning: Cedar Knox Rural Water Project: Water System Analysis and Development Plan with Updates, Bartlett & West, May 2023

Federal: U.S. Army Corps of Engineers, Omaha District, October 21, 2024; email
U.S. Department of Agriculture, NRCS, November 1, 2024, and November 5, 2024; letters
U.S. Fish and Wildlife Service, October 21, 2024; email
NEPA, February 26, 2025, email

State: NE Department of Economic Development, October 15, 2024; email
NE Game and Parks, November 4, 2024, and February 7, 2025; letters
NE Department of Natural Resources, November 12, 2024; letter
NE Governor's Policy Research Office, February 21, 2025; letter
NE State Historic Preservation Office; February 26, 2025; letter

Local Lewis & Clark NRD

Consulting Engineers: Bartlett & West, Topeka, Kansas

Public Groups: None

G. Positive Effects to be Realized from the Proposed Project: The proposed interconnection will allow the Cedar Knox Rural Water Project to return into compliance with the Nebraska Safe Drinking Water Act and ensure future water availability. The project is reasonable, not contrary to conservation or the public welfare, and is a beneficial use of water as supplied by Yankton, South Dakota.

H. Reasons for Concluding there will be no Significant Impacts: Review of the engineering report and supporting information indicates that the proposed project will result in no significant impact on the environment. Federal and State agencies reported no impact will result for threatened or endangered species as long as construction is done per the timeframes discussed.

All necessary permits for construction have been or will be obtained from the appropriate agencies (e.g. NDNR, NRD, NDEE, etc.), if necessary.

Steven Gibson, P.E.

Reviewing Engineer

03/21/2025

Date

FINDING OF NO SIGNIFICANT IMPACT DISTRIBUTION LIST
Lewis & Clark Natural Resources District, Hartington, NEBRASKA

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LOCAL NEWSPAPER:

Cedar County News

102 W Main

Hartington, NE 68739

(Public Information Only not for Public Notice)

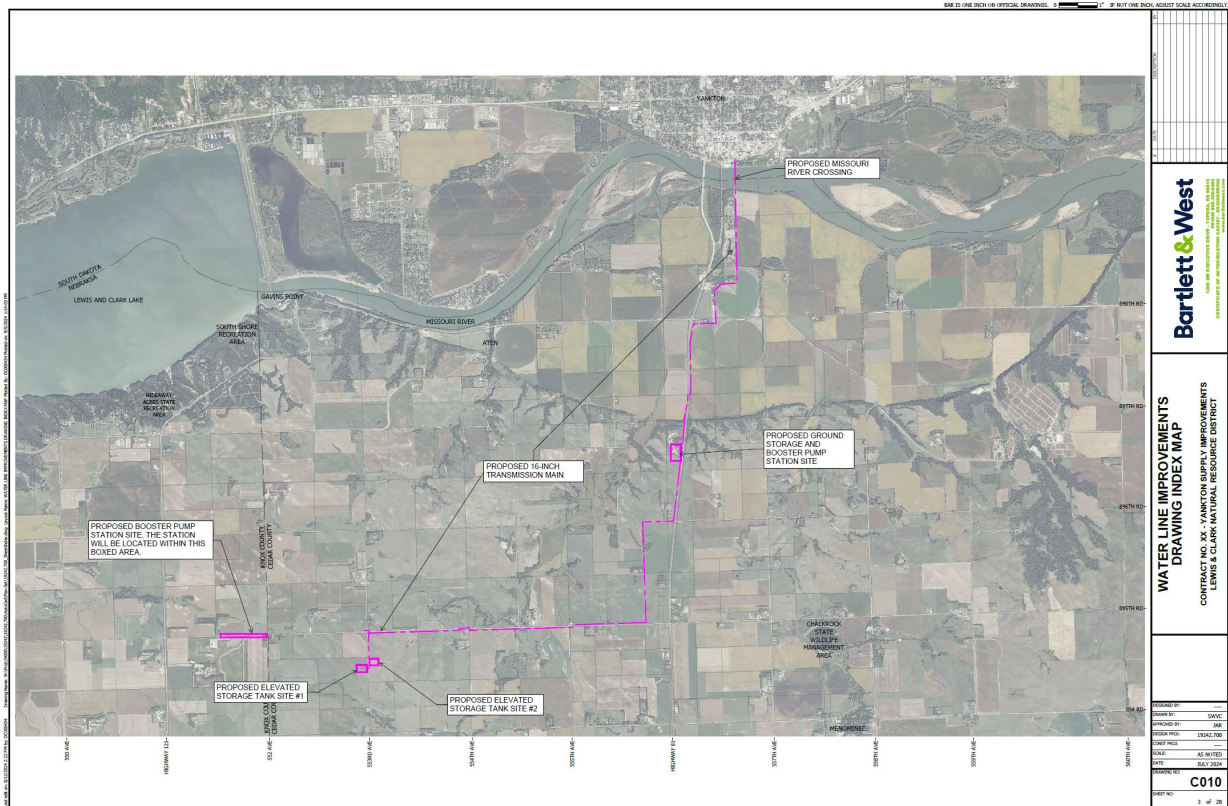
NATURAL RESOURCES DISTRICT:

Lewis & Clark NRD

608 N Robinson Avenue

Hartington, NE 687

MAPS



The City of Yankton, South Dakota will be providing water for the project in the boundaries as depicted on the maps marked as Exhibits "A" and "B."

