UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
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MAR 01 2011

Ref: 8P-W-TF

FINDING OF NO SIGNIFICANT IMPACT

PROJECT: Brant Lake Sanitation District Wastewater Treatment System Construction Project, Chester, South Dakota

TO: All Interested Government Agencies and the Public

TOTAL COST: $727,273.00
EPA GRANT: $400,000.00
LOCAL SHARE: $327,273.00

As required by the National Environmental Policy Act (NEPA), an environmental review has been performed on the proposed Environmental Protection Agency (EPA) grant for the above project. The project is proposed to be partially funded by EPA through a Special Appropriations Grant. Additional funding will be provided through local sources and the South Dakota Department of Environment and Natural Resources (SDDENR) Clean Water State Revolving Loan and Water Quality Grant.

The proposed project will replace existing septic tanks and leach fields with a centralized sewage collection system for the homes and businesses around Brandt Lake and will connect to the Chester Sanitary District for wastewater treatment. Brant Lake, with a surface area of about 940 acres, is located in Lake County, approximately 25 miles north northwest of Sioux Falls in eastern South Dakota.

The proposed project will include abandoning 233 septic tanks; installing and connecting 233 grinder pump stations; and installing approximately 27,025 feet of service lines, 27,800 feet of pressure sewer lines, one lift station, and 10,500 linear feet of force main. The new Brant Lake system will connect to the existing Chester Sanitary District facility, located on 465th Avenue (Co. Hwy. 13) in Chester, South Dakota. As part of the project, an additional treatment cell will be added to the existing sewage treatment ponds.

The proposed project will eliminate the use of individual septic tank and drain field systems for the treatment of household wastewater around Brant Lake. Over time, the Brant Lake Sanitary District (BLSD) has discovered several instances of malfunctioning or leaking septic systems in the area. Lakeshore conditions, in general, and the sandy soil conditions around the south end of Brant Lake, reduce the effectiveness of septic systems and can lead to incompletely treated wastewater reaching the lake and/or groundwater. Wastewater

contamination of groundwater and/or the lake can adversely impact human health and the environmental quality of the lake.

Environmental Review

The proposed project will have few environmental impacts. There will be some impacts associated with construction and connection to a centralized sewer and wastewater treatment system. Wastewater discharges from the Chester Sanitation District treatment facility, including the new cell added by this project, will be controlled through an existing SDDENR discharge permit. No modifications to the permit are necessary at this time to accommodate the additional lagoon. The BLSD will hire a company to operate and maintain its wastewater collection system upon completion.

Although there are wetlands and other waters of the U.S. in the project area, the proposed project will be designed to avoid wetland areas. The proposed project sewer pipelines will need to cross Skunk Creek. The contractor will be required to horizontally bore under Skunk Creek to avoid impacts. The contractor will incorporate best management practices, such as use of silt fences and reseeding of disturbed areas, into project planning, design, and construction to control discharge of pollutants from the project construction site, as well as to prevent any indirect impacts to Skunk Creek and local riparian habitat.

Some sewer lines from the proposed project will cross flood hazard areas, in particular around Brant Lake and near Skunk Creek. These sewer lines should be buried far enough below the beds of drainageways and streams to prevent exposure due to streambed erosion during periods of high floodflows. Any aboveground construction subject to flood damage, such as the grinder pumps and lift station, should either be placed above the 100-year flood elevation, or flood proofed to a level above the 100-year flood elevation.

In a May 17, 2006 letter, the U.S. Fish and Wildlife Service (USFWS) determined that the following protected species may occur in the proposed project area: Bald Eagle (at the time listed as threatened), Topeka Shiner (endangered), and Western Prairie Fringed Orchid (threatened). On August 8, 2007 (*i.e.*, after the aforementioned USFWS correspondence), the Bald Eagle was removed from the List of Endangered and Threatened Wildlife (see 72 FR 37346-37372). However, the Bald Eagle is still protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. Bald Eagle nests may not be disturbed or destroyed.

A Bald Eagle nest survey of the entire project corridor was conducted in 2009 and no active Bald Eagle nests were found. Immediately prior to construction, an additional survey will be completed. Any Bald Eagle nests found within one mile of the proposed project area will be reported to the USFWS. The Topeka Shiner has been found in the Big Sioux River and its tributaries. Since the proposed project will use horizontal directional boring under Skunk Creek, impacts to the creek and any fish present will be avoided. A survey for the Western Prairie Fringed Orchid habitat was completed for the entire project area but no appropriate habitat for the species was located. Based on these survey results and additional information, it has been

determined that no negative impacts to threatened or endangered species are anticipated from the proposed project.

A cultural resources survey was completed for the project area. Two sites were identified as partially located within the project area. The first site is a prehistoric artifact scatter recommended as ineligible for listing in the National Register of Historic Places, and the second site is a segment of the Great Northern Railroad that will be avoided by directional drilling. The South Dakota State Historic Preservation Officer concurs with the determination of "No Historic Properties Affected" for this proposed project provided that the Great Northern Railroad segment is avoided by directional boring.

Preliminary Decision - No Environmental Impact Statement is Needed

Since the review process did not indicate that significant environmental impacts would result from the proposed action, a preliminary decision has been made that it is not necessary to prepare an Environmental Impact Statement for this project. This action is taken on the basis of careful review of the engineering analysis, environmental review record, and other supporting documentation. These materials are available for public review in either electronic format at http://www.epa.gov/region8/compliance/nepa/docs.html or hard copy at the Chester Post Office, 410 4th Street, Chester, SD 57016-9998.

Public Participation

Comments supporting or disagreeing with this decision may be submitted for consideration by the EPA:

Mohammad Razzazian
US EPA, Region 8, 8P-W-TF
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After evaluating the comments received, EPA will make a final decision. No administrative action will be taken on the project for at least 30 calendar days after release of the Finding of No Significant Impact.

Sincerely,

for

Larry Svoboda
Director, NEPA Compliance and Review Program
Ecosystems Protection and Remediation