

Public Notice

CATEGORICAL EXCLUSION
CLEAN WATER STATE REVOLVING FUND LOAN

The Nevada Administrative Code (NAC), in Sections NAC 445A.742 to 445A.762, inclusive, outlines the environmental review procedures to be followed by the Nevada Division of Environmental Protection (NDEP) to be consistent with the requirements of the National Environmental Policy Act (NEPA). In accordance with these procedures, NDEP intends to issue a Categorical Exclusion (Cat Ex) to McGill for the rehabilitation and relining of a wastewater pond and the construction of a new pond, relocation of a bar screen and new piping of the headworks. McGill Ruth Sewer and Water operates a community wastewater treatment system that serves the area of McGill, located in White Pine County, Nevada. The Project will utilize funds from the Nevada Clean Water State Revolving Loan Fund (CWSRF).

Project Name: McGill Wastewater Treatment Plant Upgrade

Project Priority List Rank.: Class B #5 - NV CWSRF Priority List – Effective July 2022

Applicant: McGill Ruth Sewer and Water District

Total Estimated CWSRF Assistance: \$1,427,380

The community of McGill encompasses 1,208 square miles and is located in White Pine County. The population of McGill is approximately 1148. The town was previously supported by a copper smelter which was demolished almost 30 years ago. The employed residents work at a copper mine about 20 miles away, a maximum security prison about 10 miles away, and various jobs in the town of Ely, 12 miles south. Other residents consist mostly of retirees and children.

A major purpose of the McGill wastewater pond rehabilitation project is groundwater protection. An inspection report in 2018 revealed a potential for pond liner failure. The ponds will be drained, sludge will be removed from the ponds, and the liners will be removed. The pond areas will be regraded, new liners will be placed over geotextile material, and the aeration system will be improved. New piping will be added for the Rapid Infiltration Basins (RIBs) south of the wastewater ponds and a 6-ft fence will be installed.

The sewer rehabilitation project qualifies for a Categorical Exclusion under NAC 445A.744. As specified in NAC 445A.744(2), the project will qualify for a Categorical Exclusion because it engages in (b) Any action in a sewer community which is for minor upgrading or minor expansion of existing treatment works. A significant negative effect on the quality of the environment by this project is unlikely.

NDEP has conducted a review and concluded that the proposed project footprint is confined to previously disturbed ground within the existing area of the McGill wastewater ponds. NDEP has reviewed the environmental checklist and report work conducted by the project consultant and agrees that the proposed project work does not have a potential to negatively impact the environment and other interests represented by various Federal cross-cutting regulations.

NDEP assessed the potential environmental effects of the proposed project and determined that it is unlikely to have long-term negative effects, either individually or cumulatively, on the quality of the human environment. Construction activities will be conducted during daylight hours and will be coordinated with residents to minimize disturbance and traffic disruptions. Best Management Practices will be applied during construction. None of the proposed project elements are located in wetlands.

No agricultural lands or significant fish or wildlife species or habitats are negatively affected by the project. There would be no effects to Threatened, Endangered, Proposed, or Candidate Species or their critical habitats as a result of the project. Documentation supporting these conclusions is available for public examination from the offices of the Nevada Division of Environmental Protection, 901 S. Stewart St., Suite 4001, Carson City, Nevada.

Best management practices as stipulated by various permits applicable for this work will be followed during construction. Proposed plans shall appropriately address mitigation needs as required and as they would be identified after construction begins.

A consultation with State Historic Preservation Office (SHPO) will be conducted and Native American entities that may have interest in the general project area and other potential stakeholders will be given an opportunity to provide their comments and feedback. SHPO concurrence for the finding of direct and indirect Areas of Potential Effects (APEs) and mitigation plans, if any are needed, is required prior to commencing construction on the project. Best management practices will be utilized during construction. No Native American related resources have been previously identified within the project area.

This Categorical Exclusion notice soliciting public comments and responses received will be presented to SHPO as evidence of NDEP's outreach efforts and shall become part of the package to be submitted for their concurrence. This, along with standard unanticipated discovery protocols applicable during the active project construction, form the basis for reasonable assurances that no national landmarks or property with nationally significant historic, architectural, prehistoric, archaeological, or cultural value will be adversely affected by the project. As such, this project is eligible for a Categorical Exclusion determination, and neither a Finding of No Significant Impact (FONSI) nor an environmental impact statement are required.

Comments for consideration on this proposed Categorical Exclusion are due on **April 24, 2023**. As specified by NAC 445A.745, the public comment period is 30 days. All comments must be submitted to: Elizabeth Kingsland, Environmental Scientist IV, Office of Financial Assistance, State Revolving Fund Program, 901 S. Stewart St., Suite 4001, Carson City, NV 89701-5405. Comments may also be submitted by FAX to (775) 687-5856 or by e-mail to ekingsland@ndep.nv.gov. Questions regarding this notice may be directed to Elizabeth Kingsland by e-mail to ekingsland@ndep.nv.gov or to the State Revolving Fund (SRF) Program Manager, Jason Cooper, by email at j.cooper@ndep.nv.gov or at (775) 687-9531. Email is the most optimal means to reach this office for a timely response. The process of environmental review shall be deemed complete if no comments that the NDEP determines to be significant are received within the time allowed for public comment.