

FINDING OF NO SIGNIFICANT IMPACT

TO ALL INTERESTED GOVERNMENTAL AGENCIES AND PUBLIC GROUPS:

As required by guidelines for the preparation of environmental impact statements, an environmental review has been performed on the proposed action below:

Project: Legacy Lakes Addition Phase 1

Customer: City of Wahpeton

Location: Wahpeton (Richland County), North Dakota

CWSRF Project No.: 380940-05

Total Cost: \$22,040,000

The proposed project involves the construction of new sanitary sewer, drinking water, and storm sewer infrastructure for the Legacy Lakes Addition Phase 1.

The City of Wahpeton plans to apply for a Clean Water State Revolving Fund loan of \$16,043,000 to finance the project. The city has the legal authority and financial and administrative capability to construct the proposed improvements.

The project site will include approximately 82 acres of agricultural land. For further discussion of this, see Item V, Environmental Impacts of Proposed Project in the Environmental Assessment document. Wetlands, area flood plains, threatened or endangered species habitat, or archeological sites will not be adversely impacted. The North Dakota State Historical Preservation Office (SHPO) recommended a Class III Cultural Survey for the project area. Beaver Creek Archaeology conducted the Class III survey and prepared a report. SHPO found the report acceptable and designated that site 32RI943 will need to be avoided or evaluated. SHPO has proposed a series of measures to be taken before and during construction (ND SHPO Ref.: 25-0050). The U.S. Army Corps of Engineers has reviewed this project (ID No. NWO-2025-01066-BIS) and determined that the proposed project may need a Clean Water Act Section 404 permit if there is a discharge of dredge or fill material (temporarily or permanently) in waters of the United States.

The review process did not indicate significant environmental impacts would result from the proposed action. Consequently, a preliminary decision not to prepare an environmental impact statement has been made. This action is taken on the basis of a careful review of the engineering report, environmental information document, and other supporting data that are on file in the Municipal Facilities Division of the North Dakota Department of Environmental Quality.

Questions or comments regarding this Finding of No Significant Impact may be submitted to Ryan Allery, Environmental Engineer, Division of Municipal Facilities, North Dakota Department of Environmental Quality, 4201 Normandy St., Bismarck, ND, 58503-1324.

After evaluating the comments received, the agency will make a final decision; however, no administrative action will be taken on the project for at least 30 calendar days after release of the Finding of No Significant Impact.

Dated Dec. 22, 2025.

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