



February 7, 2011

Mr. Michael T. Mueller
Development Specialist
Souris Basin Planning Council
P.O. Box 2024
Minot, ND 58702-2024

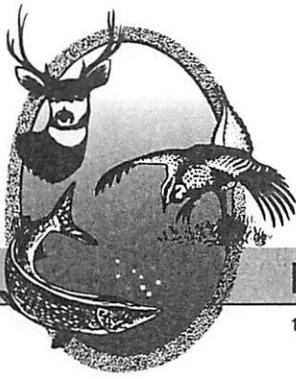
Re: Infrastructure Improvements to the Minot Value Added Agricultural Park for the Proposed Bio Exx Canola Processing Facility, Ward County

Dear Mr. Mueller:

This department has reviewed the information concerning the above-referenced projects submitted under date of February 1, 2011, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). The City of Minot may require post-construction practices to address storm water quality by ordinance or as part of their NDPDES Small Municipal Separate Storm Sewer System (MS4) General Permit obligations. Check with the local officials to be sure any local storm water management considerations are addressed.
3. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.



"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

February 15, 2011

Michael T. Mueller
Development Specialist
Souris Basin Planning Council
PO Box 2024
Minot, ND 58702-2024

Dear Mr. Mueller:

RE: Minot Value Added Agricultural Park Expansion
Proposed BioExx Canola Processing Facility
Ward County, North Dakota

The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

The National Wetland Inventory indicates several wetlands within the proposed project area. We do not believe this project will have any significant adverse effects on wildlife or wildlife habitat provided any unavoidable destruction or degradation of wetland acres is mitigated in kind.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Schadewald".

Paul Schadewald
Chief
Conservation & Communication Division

js



Souris Basin Planning Council

925 20th Ave. SW • P.O. Box 2024 • Minot, ND 58702-2024

Telephone: 701-839-6641 • Fax: 701-838-8955

E-mail: info@sourisbasin.org • Website: sourisbasin.org

February 1, 2011

Jeffrey K. Towner
Ecological Services
Fish & Wildlife Service
3425 Miriam Ave.
Bismarck, ND 58501-7926

RE: Endangered Species & Wetlands Protection

Dear Mr. Towner:

Minot Area Development Corporation has been working with BioExx to aid them in their expansion to the Minot Value Added Agricultural Park. Community Development Block Grant funds would be used to provide infrastructure improvements for the proposed BioExx canola processing facility. The proposed site for this project is wholly located in Minot's Value Added Agricultural Park which was submitted to your office for review in 2006 and 2007. The site is located in:

State of North Dakota
County of Ward
Township 155 North, Range 82W, 5th P.M.
Section 17: SE ¼
(Enclosed are a plat map and topography map)

The Souris Basin Planning Council, acting as the administrator for the CDBG funds, will answer any questions and will provide any additional information you may require. Please make any response you may have to the above letterhead address. Due to the time sensitivity of this project, we ask that you respond to our office as soon as possible. If no response is given within thirty (30) days, it will be assumed that your agency has determined the project will have no impact.

Sincerely,

Michael T. Mueller
Development Specialist
701-839-6641
mike@sourisbasin.org

Enclosures

| | |
|--|---|
| U.S. FISH AND WILDLIFE SERVICE | |
| ECOLOGICAL SERVICES | |
| ND FIELD OFFICE | |
| Project as described will have no significant impact on fish and wildlife resources. No endangered or threatened species are known to occupy the project area. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT PLANS FOR REVIEW. | |
| 2-17-11 Date | Jeffrey K. Towner Field Supervisor |



Natural Resources Conservation Service
P.O. Box 1458
Bismarck, ND 58502-1458

February 25, 2011

Michael T. Mueller
Souris Basin Planning Council
925 20th Ave. SW
PO Box 2024
Minot, ND 58702-2024

Re: Farmland Protection – expansion to the Minot Value Added Agricultural Park
Ward County, ND

Dear Mr. Mueller:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated February 1, 2011, concerning a block grant for expansion to the Minot Value Added Agricultural Park in Ward County, North Dakota.

NRCS has a major responsibility with Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., prime, statewide, and local importance) to non-agricultural use. FPPA has previously been applied to this site; therefore, no further action is needed. If the BioExx project extends outside the Minot Value Added Agricultural Park current boundary; FPPA may apply, and the Form AD-1026 will need to be completed.

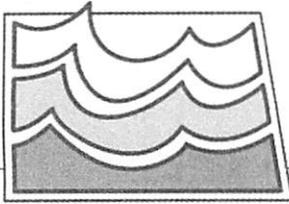
If you have additional questions pertaining to FPPA, please contact Steve Sieler, State Soil Liaison, at (701) 530-2019.

Sincerely,

A handwritten signature in cursive script that reads "Steve Sieler act.".

JEROME SCHAAR
State Soil Scientist/MO 7 Leader





North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
701-328-2750 • TDD 701-328-2750 • FAX 701-328-3696 • INTERNET: <http://swc.nd.gov>

February 8, 2011

Michael Mueller
Souris Basin Planning Council
PO Box 2024
Minot, ND 58702-2024

Dear Mr. Mueller:

This is in response to your request for review of environmental impacts associated with the expansion to the Minot Value Added Agricultural Park.

The proposed project has been reviewed by State Water Commission staff and the following comments are provided:

- The property is not located in an identified floodplain and it is believed the project will not affect an identified floodplain.
- It is the responsibility of the project sponsor to ensure that local, state and federal agencies are contacted for any required approvals, permits, and easements.
- All waste material associated with the project must be disposed of properly and not placed in identified floodway areas.
- No sole-source aquifers have been designated in ND.

There are no other concerns associated with this project that affect State Water Commission or State Engineer regulatory responsibilities.

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 328-4969.

Sincerely,

Larry Knudtson
Research Analyst

LJK:dp/1570



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

Jack Dalrymple
Governor of North Dakota

**North Dakota
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Diane K. Larson
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Tourism Division*

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Alvin A. Jaeger
Secretary of State

Mark A. Zimmerman
*Director
Parks and Recreation Department*

Francis Ziegler
*Director
Department of Transportation*

Merlan E. Paaverud, Jr.
Director

*Accredited by the
American Association
of Museums since 1986*

February 16, 2011

Mr. Michael T Mueller
Development Specialist
Souris Basin Planning Council
PO Box 2024
Minot, ND 58702-2024

ND SHPO Ref.:11-0634, CDBG funding for infrastructure improvements at BioExx canola processing facility in Minot, Ward County, North Dakota

Dear Mr. Mueller,

We reviewed ND SHPO Ref.:11-0634, CDBG funding for infrastructure improvements at BioExx canola processing facility in Minot, Ward County, North Dakota, and concur with a "No Historic Properties Affected" determination provided the project is of the nature specified, and takes place at the location specified.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Preservation Planner at (701) 328-3577 or lsteckler@nd.gov

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer
(North Dakota) and
Director
State Historical Society of North Dakota

Mr. Michael T. Mueller

2.

February 7, 2011

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "L. David Glatt". The signature is fluid and cursive, with a large initial "L" and "D".

L. David Glatt, P.E., Chief
Environmental Health Section

LDG:cc



North Dakota Department of Transportation

Francis G. Ziegler, P.E.
Director

Jack Dalrymple
Governor

February 8, 2011

Michael T. Mueller
Souris Basin Planning Council
P.O. Box 2024
Minot, ND 58702-2024

**EXPAND MINOT VALUE ADDED AGRICULTURAL PARK, WARD COUNTY, MINOT,
NORTH DAKOTA**

We have reviewed your January 1, 2011, letter.

This project should have no adverse effect on the North Dakota Department of Transportation (NDDOT) highways; however there are two upcoming projects in 2011 or 2012 for 55th Street and a Ward County roadway referred to as Minot NE Bypass and US 2 and 55th Street intersection in which these improvements could alter the route of trucks using this facility. Based on those projects, NDDOT asks that you keep in contact with the District Engineer on this project.

Additionally, if because of this project any work needs to be done on highway right-of-way, appropriate permits and risk management documents will need to be obtained from the Department of Transportation District Engineer, Jim Redding at 701-837-7625.

RONALD J. HENKE, P.E., DIRECTOR – OFFICE OF PROJECT DEVELOPMENT

57:rjh:js

c: Jim Redding, Minot District Engineer



Jack Dalrymple, Governor
Mark A. Zimmerman, Director

1600 East Century Avenue, Suite 3
Bismarck, ND 58503-0649
Phone 701-328-5357
Fax 701-328-5363
E-mail parkrec@nd.gov
www.parkrec.nd.gov

February 4, 2011

Michael T. Mueller
Souris Basin Planning Council
925 20th Ave. SW PO Box 2024
Minot, ND 58702-2024

RE: BioExx – Minot Value Added Agricultural Park Expansion

Dear Mr. Mueller:

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposal for an expansion of the Minot Value Added Agricultural Park for infrastructure improvements in Section 17, T155N, 82W, Ward County.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare species and ecological communities). The project as defined does not affect state park lands that we manage or Land and Water Conservation Fund recreation projects that we coordinate.

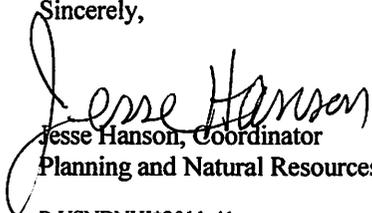
The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any current or historic plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, there are no known occurrences within or adjacent to the project area.

Because this information is not based on a comprehensive inventory, there may be species of concern or otherwise significant ecological communities in the area that are not represented in the database. The lack of data for any project area cannot be construed to mean that no significant features are present. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

The Department recommends that the project be accomplished with minimal impacts and that all efforts be made to ensure that critical habitats not be disturbed in the project area to help secure rare species conservation in North Dakota. Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information please contact Kathy Duttonhefner (701-328-5370 or kgduttonhefner@nd.gov) of our staff. Thank you for the opportunity to comment on this proposed project.

Sincerely,


Jesse Hanson, Coordinator
Planning and Natural Resources Division

R.USNDNHI*2011-41
KD2/3/2011DL2.12.2011

•••••
Play in our backyard!