

# **APPENDIX K**

## **Relocations and Acquisitions Scoping Package and Responses**

April 4, 2011

«CTitle» «First» «Last»  
«Title»  
«Department»  
«Agency»  
«Address»  
«City», «State» «Zip»

**Re: Structure Acquisition and/or Relocation  
Benson County, North Dakota**

Dear <<NAME>>:

On behalf of the City of Minnewaukan and the Federal Emergency Management Administration (FEMA), Kadrmas, Lee & Jackson is performing an engineering and environmental study for the acquisition of structures within the city of Minnewaukan, North Dakota. Additionally, an engineering and environmental study is being conducted for the relocation of a number of these structures to the NW ¼ of Section 9, Township 15 North, Range 67 West; located approximately two miles northwest of the existing townsite. ***Please refer to the enclosed Project Location Map.***

The proposed projects would acquire and/or relocate structures within low lying areas located in the city of Minnewaukan that are at the greatest risk to the rising waters of Devils Lake. ***Please refer to the attached Structure Acquisition and Relocations list for locations of each of the properties.*** Relocations would consist of structure acquisition (while maintaining existing ownership), as well as construction of a foundation at the proposed townsite and relocation of the structure to the site. Structures acquired that have not elected to be relocated would change ownership.

The proposed projects are part of a larger plan to relocate the city of Minnewaukan. The relocation of structures is Phase I of the overall relocation plan for the proposed townsite. Coordination is still ongoing with residences and businesses regarding structure acquisition and relocation options. Additional acquisitions and/or relocations, beyond those identified on the attached list, will be conducted through future phases of the proposed projects.

The projects would be funded through the FEMA Hazard Mitigation Grant Program and the State Disaster Relief Fund. Structure relocation and acquisition is anticipated to begin in the spring of 2011 and be completed in fall of 2012.

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To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in and which would be adjacent to the proposed acquisitions. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for acquisition. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

It is requested that any comments or information be forwarded to our office on or before **May 4, 2011**. Due to the timing and expedited nature of this project, if it is possible to forward comments or information prior to April 15, it would be greatly appreciated.

If further information is desired regarding the proposed roadway improvement, please contact me at 701.845.4980.

Sincerely,  
**Kadmas, Lee & Jackson, Inc.**

Erik Gilbertson, P.E.

Enclosure

# Structure Acquisition & Relocation Minnewaukan, North Dakota



## Mailing List

CTitle	First	Last	Title	Department	Agency	Address	City	State	Zip
Ms.	Myra	Pearson	Tribal Chairperson	Ft. Totten Tribal Business Office	Spirit Lake Dacotah Nation	PO Box 359	Ft. Totten	ND	58335
Mr.	Silas	Ironheart, Jr.	SLT-EPA Director		Spirit Lake Dacotah Nation	P.O. Box 99	Fort Totten	ND	58335
Sir		or Madam	Chief Missile Engineer	91st Missile Maintenance Squadron	Cable Affairs Office	417 Bomber Blvd.	Minot AFB	ND	58705
Mr.	Weldon	Loudermilk	Acting Regional Director		Bureau of Indian Affairs	115 4th Ave. SE	Aberdeen	SD	57401
Ms.	Loretta	Chandler	Acting Chief, Project Management & Development	Technical Studies and Environmental Management	Bureau of Reclamation	PO Box 1017	Bismarck	ND	58502-1017
Sir	or	Madam	Acting Regional Administrator	Regional Office	Department of HUD	1670 Broadway, Ste. 200	Denver	CO	80202-4813
Sir		or Madam	Director, Federal Insurance & Hazard Mitigation Division	Region 8	Federal Emergency Mngmt. Agency	Bldg 710, Box 25267	Denver	CO	80225
Ms.	Mary	Giltner	Deputy Base Civil Engineer	319 CES/CEVA	Grand Forks Air Force Base	525 Tuskagee Airmen Rd.	Grand Forks AFB	ND	58205-6434
Mr.	Dan	Cimarosti	Manager	ND Regulatory Office	US Army Corps of Engineers	1513 S. 12th St.	Bismarck	ND	58504
Mr.	John	Shelman	Planning Division	Omaha District Attn: CENWO-PM-AC	US Army Corps of Engineers	1616 Capitol Avenue	Omaha	NE	68102-4901
Ms.	Candace	Gorton	Chief, Env., Economics, & Cultural Resource Section	Omaha District	US Army Corps of Engineers	106 S. 15th Street	Omaha	NE	68102-1618
Mr.	Michael	Knoff	Acting Chief, Project Management & Development Branch	St. Paul District	US Army Corps of Engineers	180 5th St. E., Ste 700	St. Paul	MN	55101-1678
Sir		or Madam	Manager	Office of Economic Analysis	Federal Railroad Administration	400 7th St. SW	Washington	DC	20590
Mr.	Paul J.	Sweeney	State Conservationist		US Department of Agriculture	PO Box 1458	Bismarck	ND	58502-1458
Mr.	John	Rogers		Economic Development Administration	US Department of Commerce	PO Box 578	Helena	MT	59624
Mr.	Gerald	Paulson	Director, Transmission Lines and Substation	Western Area Power Admin.	US Department of Energy	PO Box 1173	Bismarck	ND	58502-1173
Ms.	Deborah	Lebow	NEPA Transportation Coordinator	Region 8, EPR-N	US Environmental Protection Agency	1595 Wynkoop Street	Denver	CO	80202-1129
Mr.	Richard	Clark	Wetlands Coordinator	Region 8, EPR-EP	US Environmental Protection Agency	1595 Wynkoop Street	Denver	CO	80202-1129
Mr.	Jeffrey	Towner	Field Supervisor	ND Field Office	US Fish & Wildlife Service	3425 Miriam Ave.	Bismarck	ND	58501
Mr.	Greg	Wiche	Director	Water Resources Division	US Geological Survey	821 E. Interstate Ave.	Bismarck	ND	58501
Congressman	Rick	Berg			US Federal Building, Room 328	220 E. Rosser Avenue	Bismarck	ND	58501
Senator	John	Hoeven			US Federal Building, Room 312	220 E. Rosser Avenue	Bismarck	ND	58501
Senator	Kent	Conrad			US Federal Building, Room 228	220 E. Rosser Avenue	Bismarck	ND	58501
Mr.	Scott	Davis	Executive Director		Indian Affairs Commission	600 E. Blvd. Ave. 1st Floor, Judicial Wing, Rm 117	Bismarck	ND	58505-0300
Mr.	Mark	Johnson	Executive Director		ND Association of Counties	1661 Capitol Way, PO Box 877	Bismarck	ND	58502-0877
Mr.	Lonnie	Hoffer	Disaster Recovery Chief	Department of Homeland Security	ND Department of Emergency Services	PO Box 5511	Bismarck	ND	58506
Mr.	David	Glatt	Chief	Environmental Health Section Gold Seal Center	ND Department of Health	918 E. Divide Ave., 4th floor	Bismarck	ND	58501-1947
Mr.	Paul	Schadewald	Chief	Conservation & Communications Division	ND Game & Fish Department	100 Bismarck Expressway	Bismarck	ND	58501-5095
Mr.	Terry	Steinwand	Director		ND Game & Fish Department	100 Bismarck Expressway	Bismarck	ND	58501-5095
Mr.	Ed	Murphy	State Geologist		ND Geological Survey	600 E. Blvd. Ave.	Bismarck	ND	58505-0840
Mr.	Mark	Zimmerman	Director		ND Parks & Recreation Dept.	1600 E. Century Ave., Suite 3	Bismarck	ND	58503-0649
Mr.	Dale	Frink	State Engineer		ND State Water Commission	900 East Boulevard. Ave.	Bismarck	ND	58505-0850
Mr.	Arne	Berg			ND State Water Commission	815 5th Street NE	Devils Lake	ND	58301
Mr.	Wayne	Sanstead	State Superintendent		ND Department of Public Instruction	600 East Boulevard Ave, Dept. 201	Bismarck	ND	58505
Mr.	Merl	Paaverud	State Historic Preservation Officer		State Historical Society of ND	612 East Boulevard Avenue	Bismarck	ND	58505
Mr.	Larry	Kotchman			ND Forest Service	307 1st Street E	Bottineau	ND	58318-1100
Ms.	Sara	Otte Coleman	Director	Century Center	ND Tourism Division	1600 E. Century Avenue, Suite 2	Bismarck	ND	58503-2057
Sir		or Madam	Manager		Otter Tail Power Company	PO Box 496	Fergus Falls	MN	56538

## Mailing List

CTitle	First	Last	Title	Department	Agency	Address	City	State	Zip
Sir		<i>or Madam</i>	Manager		North Dakota Telephone Company	PO Box 180	Devils Lake	ND	58301
Mr.	Bill	Boyd	Construction Manager		Midcontinent Cable Company	719 Memorial Hwy	Bismarck	ND	58501
Mr.	George	Berg	Manager		NoDak Electric Coop., Inc.	Box 13000	Grand Forks	ND	58208-3000
Mr.	Wayde	Swenson	District Engineer	Devils Lake District	ND Department of Transportation	316 6th Street South	Devils Lake	ND	58301
Mr.	Scott	Hochhalter	Soil Conservation Specialist	NDSU Extension Service	Soil Conservation Committee	2718 Gateway Ave., #104	Bismarck	ND	58503
Mr.	Richard	Anderson			North Central Planning Council	PO Box 651	Devils Lake	ND	58301
Mr.	Gary	Sears	Chairman		West Bay Township	PO Box 33	Minnewaukan	ND	58351
Ms.	Trish	McQuoid	Mayor		City of Minnewaukan	PO Box 192	Minnewaukan	ND	58351
Mr.	Ward	Christensen		Utility Superintendent	City of Minnewaukan	PO Box 192	Minnewaukan	ND	58351
Mr.	Myron	Jury		School Superintendent	Minnewaukan Public Schools	PO Box 348	Minnewaukan	ND	58351
Mr.	John	Beckstrand	Chairman	Water Resource Board	Benson County	8650 36th Street SE	Warwick	ND	58381
Ms.	Bonnie	Erickson		Auditor's Office	Benson County	PO Box 206	Minnewaukan	ND	58351-0206
Mr.	David	Davidson		Commission	Benson County	7833 37th Street NE	St. Michael	ND	58370-9064
Mr.	Scott	Todahl		Emergency Management	Benson County	PO Box 184	Minnewaukan	ND	58351-0205
Mr.	Brandon	Grove		Highway Department	Benson County	PO Box 184	Minnewaukan	ND	58351
Mr.	Steven	Rohrer		Sheriff's Office	Benson County	PO Box 194	Minnewaukan	ND	58351-0194
Mr.	Neal	Jacobson	Environmental Program Manager		ND National Guard	PO Box 5551	Bismarck	ND	58506-5511

## **List of Commenting Agencies**

### **Federal**

Bureau of Indian Affairs, Great Plains Regional Office

Federal Emergency Management Administration, Region VIII

Grand Forks Air Force Base

United States Army Corps of Engineers, Omaha District, ND Regulatory Office

United States Fish and Wildlife Services, Ecological Services ND Field Office

### **State**

North Dakota Department of Health

North Dakota Forest Service

North Dakota National Guard

North Dakota Parks and Recreation Department

North Dakota State Water Commission

State Historical Society of North Dakota

### **Local**

Midcontinent Communications

North Dakota Telephone Company





**FEMA**

R8-Mitigation

April 14, 2011

Eric Gilbertson , P.E.  
Kadramas Lee & Jackson  
1010 4<sup>th</sup> St. SW  
Valley City, ND 58072-0937

Dear Mr. Gilbertson:

Thank you for your inquiry regarding your proposed project Structure Acquisition and/or Relocation in Benson, County. FEMA's major concern is if the property is located within a mapped Special Flood Hazard Area any development in these areas requires further consideration.

We recommend that you contact the local Floodplain Manager for Benson County, Ms. Ellen Huffman at (701) 473-5524 to receive further guidelines regarding the impact that the project might have to the regulations and policies of the National Flood Insurance Program. Considering that floods are the most devastating of all natural disasters in this country, any efforts to reduce the impacts of that hazard is worthwhile.

Let me know if I can be of assistance and please feel free to contact me at 303-235-4721.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Kyner".

David A. Kyner  
NFIP Program Specialist



DEPARTMENT OF THE AIR FORCE  
319TH CIVIL ENGINEER SQUADRON  
GRAND FORKS AIR FORCE BASE, NORTH DAKOTA

APR 21 2011

David D. McCullough  
319 CES/CEAN  
525 Tuskegee Airmen Blvd  
Grand Forks AFB ND 58205-6434

Kadrmass, Lee & Jackson, Inc.  
Mr. Erik Gilbertson, PE  
1010 4<sup>th</sup> Ave SW  
PO Box 937  
Valley City ND 58072-0937

Dear Mr. Gilbertson:

Your letter concerning a study of structure acquisition and/or relocation in the City of Minnewaukan in Benson County ND, due to the rising lake levels of Devils Lake, has been reviewed by our Environmental Management and Real Estate Offices. We have found that Grand Forks AFB owns no property in or adjacent to the proposed project area and has no pertinent information or comments to contribute to your environmental assessment. Thank you for bringing this matter to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "David D. McCullough", written over the typed name and title.

DAVID D. MCCULLOUGH  
Environmental Management Element Chief



**DEPARTMENT OF THE ARMY**  
CORPS OF ENGINEERS, OMAHA DISTRICT  
NORTH DAKOTA REGULATORY OFFICE  
1513 SOUTH 12<sup>TH</sup> STREET  
BISMARCK ND 58504-6640  
April 11, 2011

REPLY TO  
ATTENTION OF

North Dakota Regulatory Office

Kadrmass, Lee & Jackson  
ATTN: Erik Gilbertson, P.E.  
1010 4<sup>th</sup> Avenue SW  
P.O. Box 937  
Valley City, North Dakota 58072-0937

Dear Mr. Gilbertson:

This letter is in reply to your April 1, 2011, solicitation of views letter requesting comments concerning the planned "Structure Acquisition and/or Relocation" projects within low lying areas of the City of Minnewaukan, North Dakota. The letter describes a part of the City's overall plan to relocate to a new townsite located approximately 2 miles to the northwest of the existing city limits. Specifically, the relocation would be to the NW ¼ of Section 9, Township 15 North, Range 67 West, in Benson County, North Dakota.

The Corps of Engineers regulates the discharge of dredged or fill material into waters of the United States under Section 404 of the Clean Water Act (CWA). Devils Lake and its adjacent wetlands are considered waters of the United States; therefore, should any of the activities require the discharge of dredged or fill material within these waters, prior Department of the Army (DA) authorization from the Corps of Engineers would be required.

The construction of roads, work pads and foundations may qualify for authorization under a Nationwide Permit. Information concerning our Regulatory Program, Nationwide Permits and other specific information can be found on our website at <http://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

For your convenience, we have enclosed a DA permit application for your use and/or reference.

If you have any questions regarding this letter, our program or specific issues concerning North Dakota, please do not hesitate to write me, at the above address, or call this office at (701) 255-0015.

The Omaha District, North Dakota Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at <http://per2.nwp.usace.army.mil/survey.html>. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

Sincerely,

Matthew J. Mikulecky  
Project Manager  
North Dakota Regulatory Office

Enclosure

**Instructions for Preparing a  
Department of the Army Permit Application**

**Blocks 1 through 4.** To be completed by Corps of Engineers.

**Block 5. Applicant's Name.** Enter the name and the E-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked Block 5.

**Block 6. Address of Applicant.** Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked Block 6.

**Block 7. Applicant Telephone Number(s).** Please provide the number where you can usually be reached during normal business hours.

**Blocks 8 through 11.** To be completed, if you choose to have an agent.

**Block 8. Authorized Agent's Name and Title.** Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, or any other person or organization. Note: An agent is not required.

**Blocks 9 and 10. Agent's Address and Telephone Number.** Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

**Block 11. Statement of Authorization.** To be completed by applicant, if an agent is to be employed.

**Block 12. Proposed Project Name or Title.** Please provide name identifying the proposed project, e.g., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center.

**Block 13. Name of Waterbody.** Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

**Block 14. Proposed Project Street Address.** If the proposed project is located at a site having a street address (not a box number), please enter it here.

**Block 15. Location of Proposed Project.** Enter the latitude and longitude of where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

**Block 16. Other Location Descriptions.** If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality that the site is located in.

**Block 17. Directions to the Site.** Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide description of the proposed project location, such as lot numbers, tract numbers, or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known

**Block 18. Nature of Activity.** Describe the overall activity or project. Give appropriate dimensions of structures such as wing walls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

**Block 19. Proposed Project Purpose.** Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

**Block 20. Reasons for Discharge.** If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

**Block 21. Types of Material Being Discharged and the Amount of Each Type in Cubic Yards.** Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

**Block 22. Surface Areas of Wetlands or Other Waters Filled.** Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If more space is needed, attach an extra sheet of paper marked Block 22.

**Block 23. Description of Avoidance, Minimization, and Compensation.** Provide a brief explanation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts.

**Block 24. Is Any Portion of the Work Already Complete?** Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, acres filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization, if possible.

**Block 25. Names and Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Project Site.** List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked Block 24.

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

**Block 26. Information about Approvals or Denials by Other Agencies.** You may need the approval of other federal, state, or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

**Block 27. Signature of Applicant or Agent.** The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

## **DRAWINGS AND ILLUSTRATIONS**

### **General Information.**

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.**

### **\*\*\*IMPORTANT INFORMATION FOR A COMPLETE APPLICATION\*\*\***

**BORROW SITE & MATERIAL SOURCES:** Regulations at 33 CFR 325.1(d)(4) requires that permit applications involving the discharge of dredged or fill material into Water of the US include the source and/or location of the material (commonly referred to as "borrow site"). The applicant is responsible for ensuring that the Corps is notified of the location of any borrow site that will be used in conjunction with the construction of the authorized activity so that the Corps may evaluate the site for potential impacts to aquatic resources, historic properties, and endangered species. *PLEASE PROVIDE THE SOURCE AND/OR LOCATION OF MATERIAL SOURCES* with your application.

**APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT  
(33 CFR 325)**

**OMB APPROVAL NO. 0710-0003  
EXPIRES: 31 August 2012**

Public reporting burden for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please **DO NOT RETURN** your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

**PRIVACY ACT STATEMENT**

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)**

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

5. APPLICANT'S NAME: First -                      Middle -                      Last - Company - E-mail Address -			8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) First -                      Middle -                      Last - Company - E-mail Address -		
6. APPLICANT'S ADDRESS. Address - City -                      State -                      Zip -                      Country -			9. AGENT'S ADDRESS Address - City -                      State -                      Zip -                      Country -		
7. APPLICANT'S PHONE NOS. W/AREA CODE. a. Residence                      b. Business                      c. Fax			10. AGENT'S PHONE NOS. W/AREA CODE a. Residence                      b. Business                      c. Fax		

**STATEMENT OF AUTHORIZATION**

11. I hereby authorize, \_\_\_\_\_ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME OR TITLE (see instructions)			
13. NAME OF WATERBODY, IF KNOWN (if applicable)		14. PROJECT STREET ADDRESS (if applicable) Address	
15. LOCATION OF PROJECT Latitude: °N Longitude: °W		City -                      State -                      Zip -	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID                      Municipality Section -                      Township -                      Range -			
17. DIRECTIONS TO THE SITE			

18. Nature of Activity (Description of project, include all features)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

**USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
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22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres  
Or  
Liner Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

24. Is Any Portion of the Work Already Complete? Yes  No  IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

Address --

City --

State --

Zip --

26. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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\* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF AGENT

\_\_\_\_\_  
DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Kadrmass**  
**Lee &**  
**Jackson**

Engineers Surveyors  
Planners

April 4, 2011

Mr. Jeffrey Towner  
Field Supervisor  
ND Field Office  
US Fish & Wildlife Service  
3425 Miriam Ave.  
Bismarck, ND 58501

**Re: Structure Acquisition and/or Relocation  
Benson County, North Dakota**

Dear Mr. Towner:

On behalf of the City of Minnewaukan and the Federal Emergency Management Administration (FEMA), Kadrmass, Lee & Jackson is performing an engineering and environmental study for the acquisition of structures within the city of Minnewaukan, North Dakota. Additionally, an engineering and environmental study is being conducted for the relocation of a number of these structures to the NW ¼ of Section 9, Township 15 North, Range 67 West; located approximately two miles northwest of the existing townsite. ***Please refer to the enclosed Project Location Map.***

The proposed projects would acquire and/or relocate structures within low lying areas located in the city of Minnewaukan that are at the greatest risk to the rising waters of Devils Lake. ***Please refer to the attached Structure Acquisition and Relocations list for locations of each of the properties.*** Relocations would consist of structure acquisition (while maintaining existing ownership), as well as construction of a foundation at the proposed townsite and relocation of the structure to the site. Structures acquired that have not elected to be relocated would change ownership.

The proposed projects are part of a larger plan to relocate the city of Minnewaukan. The relocation of structures is Phase I of the overall relocation plan for the proposed townsite. Coordination is still ongoing with residences and businesses regarding structure acquisition and relocation options. Additional acquisitions and/or relocations, beyond those identified on the attached list, will be conducted through future phases of the proposed projects.

The projects would be funded through the FEMA Hazard Mitigation Grant Program and the State Disaster Relief Fund. Structure relocation and acquisition is anticipated to begin in the spring of 2011 and be completed in fall of 2012.

701 845 4980

1010 4th Avenue SW

PO Box 937

Valley City, ND 58072-0937

Fax 701 845 0252

www.kljeng.com

Kadrmass, Lee & Jackson, Inc.

A KLJ Solutions Company

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2)(D)(IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in and which would be adjacent to the proposed acquisitions. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for acquisition. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

It is requested that any comments or information be forwarded to our office on or before **May 4, 2011**. Due to the timing and expedited nature of this project, if it is possible to forward comments or information prior to April 15, it would be greatly appreciated.

If further information is desired regarding the proposed roadway improvement, please contact me at 701.845.4980.

Sincerely,  
Kadrmass, Lee & Jackson, Inc.

Erik Gilbertson, P.E.

Enclosure

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.

4/18/11  
Date

*Jeffrey K. Towner*  
Jeffrey K. Towner  
Field Supervisor



April 14, 2011

Mr. Erik Gilbertson, P.E.  
Kadmas, Lee & Jackson, Inc.  
P.O. Box 937  
Valley City, ND 58072-0937

Re: Structure Acquisition and/or Relocation Project  
City of Minnewaukan, Benson County

Dear Mr. Gilbertson:

This department has reviewed the information concerning the above-referenced project submitted under date of April 4, 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. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
3. 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. Projects disturbing less than one acre also are required to have a permit to discharge storm water runoff if the site is part of a larger common plan of development or sale, and the larger common plan will ultimately disturb equal to or greater than one acre. 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). In addition, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system and require provisions to

address the quality of post-construction storm water runoff from new development and redevelopment projects. Check with the local officials to be sure any local storm water management considerations are addressed.

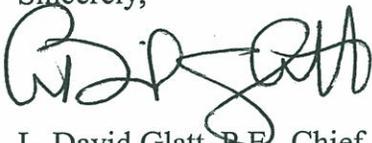
4. All necessary measures must be taken to minimize the disturbance of any asbestos-containing material and to prevent any asbestos fiber release episodes. Any facility that is to be renovated or demolished must be inspected for asbestos. Notification of the Department's Division of Air Quality (701-328-5188) is required before any demolition. Removal of any friable asbestos-containing material must be accomplished in accordance with section 33-15-13-02 of the North Dakota air pollution control rules.
5. 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.

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.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

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

Sincerely,



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

LDG:cc  
Attach.



**Construction and Environmental Disturbance Requirements**

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

**Soils**

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

**Surface Waters**

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

**Fill Material**

Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.



# NORTH DAKOTA FOREST SERVICE

*"To care for, protect and improve forest and natural resources to enhance the quality of life for present and future generations."*

May 3, 2011

Mr. Erik Gilbertson, P.E.  
Kadrmass, Lee & Jackson, Inc.  
1010 4<sup>th</sup> Ave SW  
PO Box 937  
Valley City, ND 58072-0937

RE: Minnewaukan Environmental Comments

Dear Mr. Gilbertson,

Thank you for the opportunity to comment on the Minnewaukan engineering and environmental study relating to structure acquisition and relocation, utility improvements, and infrastructure improvements. The North Dakota Forest Service (NDFS) believes the project is not only necessary for the Community of Minnewaukan, but will ultimately benefit Benson County and the State of North Dakota. The NDFS does not own and/or lease any property within the project location, nor is the agency proposing to acquire or develop property within the project.

NDFS participation in the project will continue in the form of cooperative forestry program assistance for community forestry and community fire protection needs requested by the City of Minnewaukan or the State of North Dakota. The Community Forestry program provides information, technical assistance and challenge grants to communities and local government for planning, protecting and maintaining trees in urban environments, developing management plans, conducting inventories, preparing assessments and drafting ordinances and policies. Program priorities include strategic tree planting and active management of the community forest to beautify streets, parks and urban landscapes; conserve energy; protect and improve water quality; and mitigate climate events. NDFS staff helps communities obtain grants through a variety of programs, including Community Transportation Enhancement, Storm Tree Replacement, Community Family Forest and America the Beautiful Program Development and Tree Planting.

Mr. Erik Gilbertson – May 3, 2011

Page 2

The Cooperative Fire Protection program protects lives, property and natural resources from wildfires. Grants are available through the NDFS for building capacity in rural fire departments by providing funding for firefighting equipment, personal protective equipment and training. NDFS staff provides technical assistance on potential funding sources, training opportunities and vehicle acquisition through the Federal Excess Property program. Program priorities include fire planning, initial attack capabilities and adopting the National Incident Management System for coordinated interagency response.

Trees and forests provide important economic, environmental and social benefits to communities across North Dakota. We encourage the City of Minnewaukan to integrate trees into their proposed townsite infrastructure improvements. Urban tree cover serves as “green infrastructure” benefiting the local climate and energy use, air quality, noise abatement, real estate and business values, and public health.

Likewise, community fire planning for fire protection is an important consideration for the City of Minnewaukan. Fire preparedness, prevention and management strategies are essential in developing local led solutions that reduce fire risk to homes and businesses. The Firewise website, [www.firewise.org](http://www.firewise.org), and community planning programs provide information to homeowners, public officials, community planners, construction professionals and firefighters which lessen the risk of fire loss.

Thank you for the opportunity to provide comments on the engineering and environmental study for the City of Minnewaukan. Please feel free to contact my office if you need any additional information about the comments contained in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry A. Kotchman". The signature is fluid and cursive, with a large initial "L" and "K".

Larry A. Kotchman  
State Forester

**JOINT FORCE HEADQUARTERS  
ENVIRONMENTAL OFFICE  
NORTH DAKOTA NATIONAL GUARD  
PO BOX 5511, BISMARCK, ND 58506-5511**

NGND-ENV

April 12, 2011

Erik Gilbertson  
KLJ  
PO Box 937  
Valley City ND 58072-0937

Dear Mr. Gilbertson:

The North Dakota National Guard is in receipt of your letters regarding proposed projects concerning the City of Minnewauken, North Dakota.

The North Dakota National Guard operates Camp Gilbert C. Grafton, located to the south of the City of Devils Lake, North Dakota. Units that access Camp Grafton primarily use State Highways 19, 20 and 57. As the waters of Devils Lake continue to rise, these state highways may become impassable due to high water. This would result in the use of Highway 281 and US 2 becoming the primary roadways to access Camp Grafton.

The North Dakota National Guard does not have any property interest within the City of Minnewauken. As such, our comments relate strictly to the use of Highway 281 as a major vehicular conduit to Camp Grafton.

The North Dakota National Guard is scheduled to receive several new equipment items in 2011 and 2012. These are major items that require units to train at Camp Grafton prior to receiving the equipment. The initial receiving and distribution point is Camp Grafton. If rising waters inundate Highways 19, 20 and 57, Highway 281 and US 2 will become the primary route for this equipment to be brought into and distributed out of Camp Grafton. Movement of structures and any roadwork on Highway 281 will cause delays with the receipt of equipment and training, necessitating either routing changes, receipt and training date changes or relocating receipt and training locations.

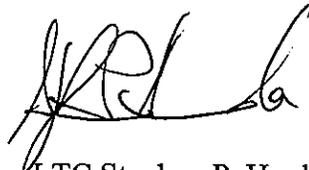
After careful review and consideration of the proposed alternatives discussed in your letter, the North Dakota National Guard has determined that the proposals may affect but are unlikely to adversely affect our operations. If rising waters cause Highways 19, 20 and 57 to become impassable, the proposed projects are likely to have an adverse affect on our operations.

We sincerely appreciate the opportunity to provide comments on these proposed improvements.

Future correspondence regarding NEPA proposed actions should be addressed to the undersigned. Mr. Neal Jacobson has retired from this position, and no longer works for the North Dakota National Guard.

If you have any questions concerning this letter, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Herda', written in a cursive style.

LTC Stephen P. Herda  
Environmental Program Manager



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](mailto:parkrec@nd.gov)  
[www.parkrec.nd.gov](http://www.parkrec.nd.gov)

April 15, 2011

Erik Gilbertson  
Kadrmass Lee & Jackson  
1010 4<sup>th</sup> Avenue SW  
PO Box 937  
Valley City, ND 58072-0937

Re: City of Minnewaukan Relocation –Structure Acquisition and/or Relocation

Dear Mr. Gilbertson,

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposal project to relocate the existing townsite, which would consist of acquiring or relocating structures within low lying areas located in the city of Minnewaukan, North Dakota.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage but may affect state Land and Water Conservation Fund (LWCF) project sites that we manage. We have concerns regarding two Land and Water Conservation Fund (LWCF) sites in the existing Minnewaukan townsite. The *West Bay Recreation Area*, project #38-00434, and the *West Bay #2*, project #38-00674, both received assistance from the federal Land and Water Conservation Fund and are under protection of section 6(f) of the LWCF Act. If these properties are abandoned, they will require a 6(f) conversion and must be replaced with property of equal market value. If the proposed townsite for Minnewaukan is to include a park area, it may be used as the replacement park so long as it is designated as such, and not as a new park. Please contact Jessica Riepl (701-328-5364 or [jriepl@nd.gov](mailto:jriepl@nd.gov)) before the replacement park is planned for more information on the conversion process. A map with LWCF project locations has been attached.

The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any current or historical 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, only one animal species of concern, *Coturnicops noveboracensis* (Yellow rail) has been identified within or adjacent to the project areas. Please see the attached spreadsheet and maps for more specific information on these species. We defer further comments regarding animal species to the North Dakota Game and Fish Department and the United States Fish and Wildlife Service.

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](mailto:kgduttonhefner@nd.gov)) of our staff. Thank you for the opportunity to comment on this proposed project.

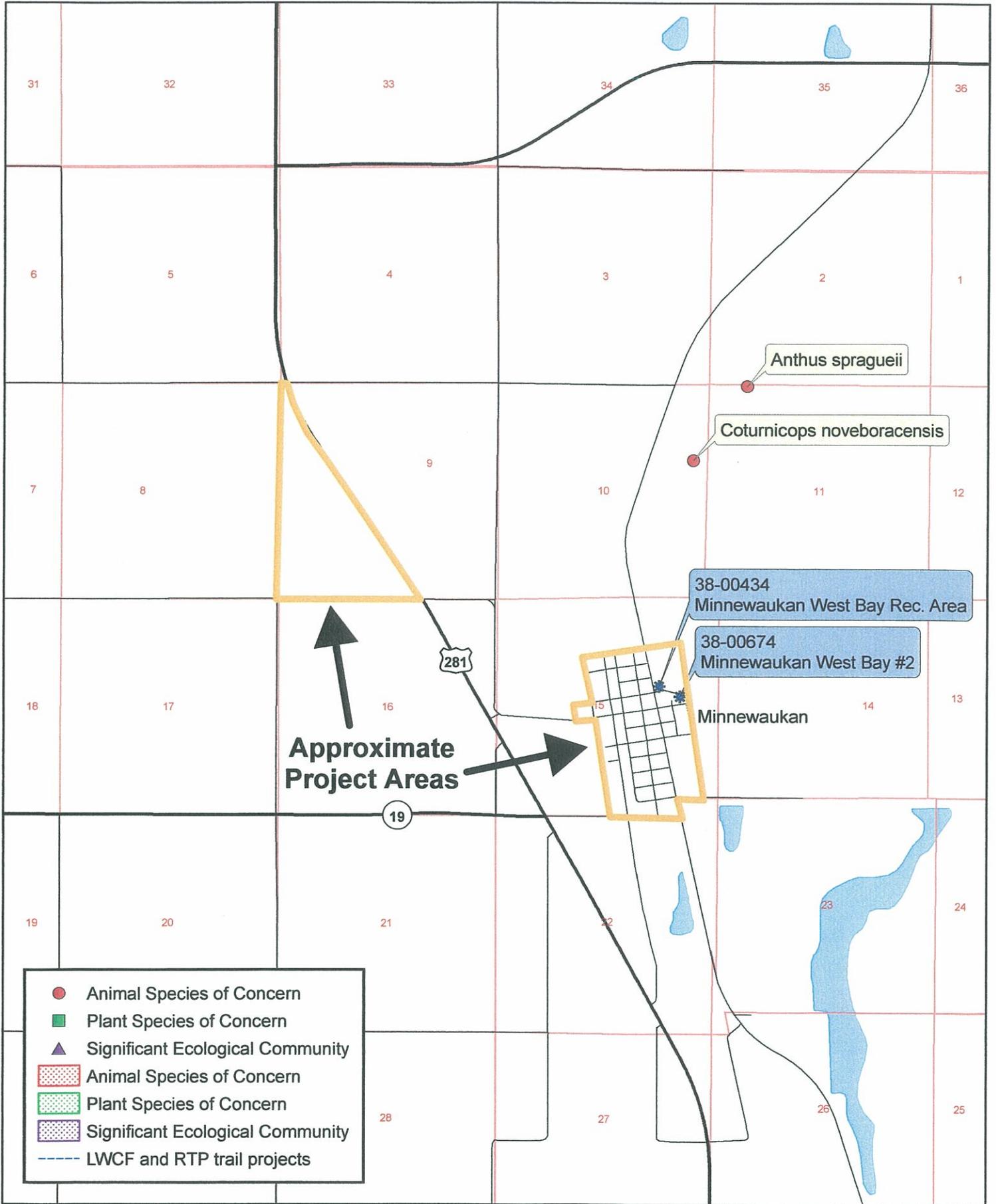
Sincerely,

Jesse Hanson, Manager  
Planning and Natural Resources Division

R.USNDNHI\*2011-082 KD4/12/2011/DL5.1.2011

.....  
*Play in our backyard!*

# North Dakota Parks and Recreation Department North Dakota Natural Heritage Inventory



T153N

R67W

April 2011



# 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>

April 14, 2011

Erik Gilbertson  
Kadrmass, Lee & Jackson  
PO Box 937  
Valley City, ND 58072-0937

Dear Mr. Gilbertson:

This is in response to your request for review of environmental impacts associated with the Structure Acquisition and/or Relocation, Benson County, ND.

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

- The proposed town site is not located in an identified flood hazard area according to the Benson Flood Insurance Rate Map dated April 16, 2009. It appears that there is no prospective relocation properties located in Minnewaukan's identified flood hazard area.
- 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  
State Historical Board

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*Bismarck - President*

Gerold Gernholz  
*Valley City - Vice President*

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Francis Ziegler  
*Director  
Department of Transportation*

Merlan E. Paaverud, Jr.  
*Director*

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American Association  
of Museums since 1986*

April 11, 2011

Mr. Erik Gilbertson PE  
KLJ  
1010 4<sup>th</sup> Avenue SW  
PO Box 937  
Valley City ND 58072-0937

**ND SHPO REF.: 11-1026 FEMA Acquisition of Structures and/or Relocation  
in Minnewaukan, Benson County, North Dakota**

Dear Mr. Gilbertson,

We reviewed ND SHPO REF.: 11-1026 FEMA Acquisition of Structures and/or Relocation in Minnewaukan, Benson County, North Dakota. We request that a Class III (pedestrian) cultural resource inventory be conducted by a permitted architectural historian on this project, including completing site forms. However, the architectural historian should consult with this office first as we have recently completed a partial survey on the buildings in Minnewaukan.

Thank you for the opportunity to review this project to date. We look forward to further review of the Class III report. If you have any questions please contact Susan Quinnell, Review and Compliance Coordinator at (701)328-3576 or [squinnell@nd.gov](mailto:squinnell@nd.gov).

Sincerely,

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

C: FEMA Denver



May 4, 2011

Erik Gilbertson, P.E.  
Kadmas, Lee & Jackson, Inc.  
3203 32<sup>nd</sup> Ave S, Ste. 201  
PO Box 9767  
Fargo, ND 58106

RE: Structure Acquisition and/or Relocation Benson County, North Dakota

Dear Mr. Gilbertson,

Midcontinent Communications is following up with the letter dated April 4, 2011 from your office on the above mention project. Midcontinent does have approximately 13,400 feet of aerial and 1,900 feet of underground existing cable facilities and approximately 149 OSP structures within the "Structure Acquisition" boundary within the scope of the relocation project. In addition, we have Head-end facilities on the south end of town at the intersection of B Ave S. and County Road 19 near the cell phone tower site just outside the "Structure Acquisition" boundary.

**The cost to the City of Minnewaukan, ND is \$1,700,000.00** to relocate our cable facilities and structures within the "Structure Acquisition" boundary as identified on your enclosed drawing from the existing location of the town to the new area located at NW1/4 of Section 9, Township 153, and North Range 67 West.

Our cost includes contract labor, materials, design, splicing, and activation of new underground facilities at the new location of Minnewaukan, ND while keeping the existing facilities operable within the "Structure Acquisition" boundary in the Old Minnewaukan town area then over time eliminate the facilities in Old Minnewaukan when directed by the City of Minnewaukan. Our cost includes building a 39 mile fiber route from Devils Lake, ND to New Minnewaukan to eliminate the cost of relocating our existing Head-end facility at the south end of Old Minnewaukan and provide Midcontinent the ability to incorporate the residents of the New Minnewaukan location on our extensive fiber network to provide digital CATV services, high speed internet, and telephony services.

However, our costs are for relocating Midcontinent's facilities on our own. We know there could be other opportunities to reduce this cost by joint trench opportunities or aerial cable options with other local utility companies within the new location of the City of Minnewaukan.

If Kadmas, Lee, & Jackson has any further information on this project or requests any more information on our facilities within this project, please contact our office at 605-274-2988. Thank you.

Sincerely,

Steve Mohr, RCDD  
Construction Project Manager  
Midcontinent Communications



*More Than a Telephone Company!*

211 22nd St NW, PO Box 180  
Devils Lake, ND 58301-0180  
701-662-1100 or 1-800-880-4213  
Fax 701-662-6446  
www.goNDTC.com

April 4, 2011

Kadmas Lee & Jackson  
P.O. Box 9767  
Fargo ND 58106-9767

RE Minnewaukan town and rural

Erik,

Enclosed are 2 maps. The first one is Minnewaukan Rural in the area of the proposed water and sewer lines. The other is a map of the town showing where our main cables run, concerning proposed work to the water and sewer systems in the town of Minnewaukan.

If the new town site has been plotted we would be interested in getting a copy to help plan our facilities.

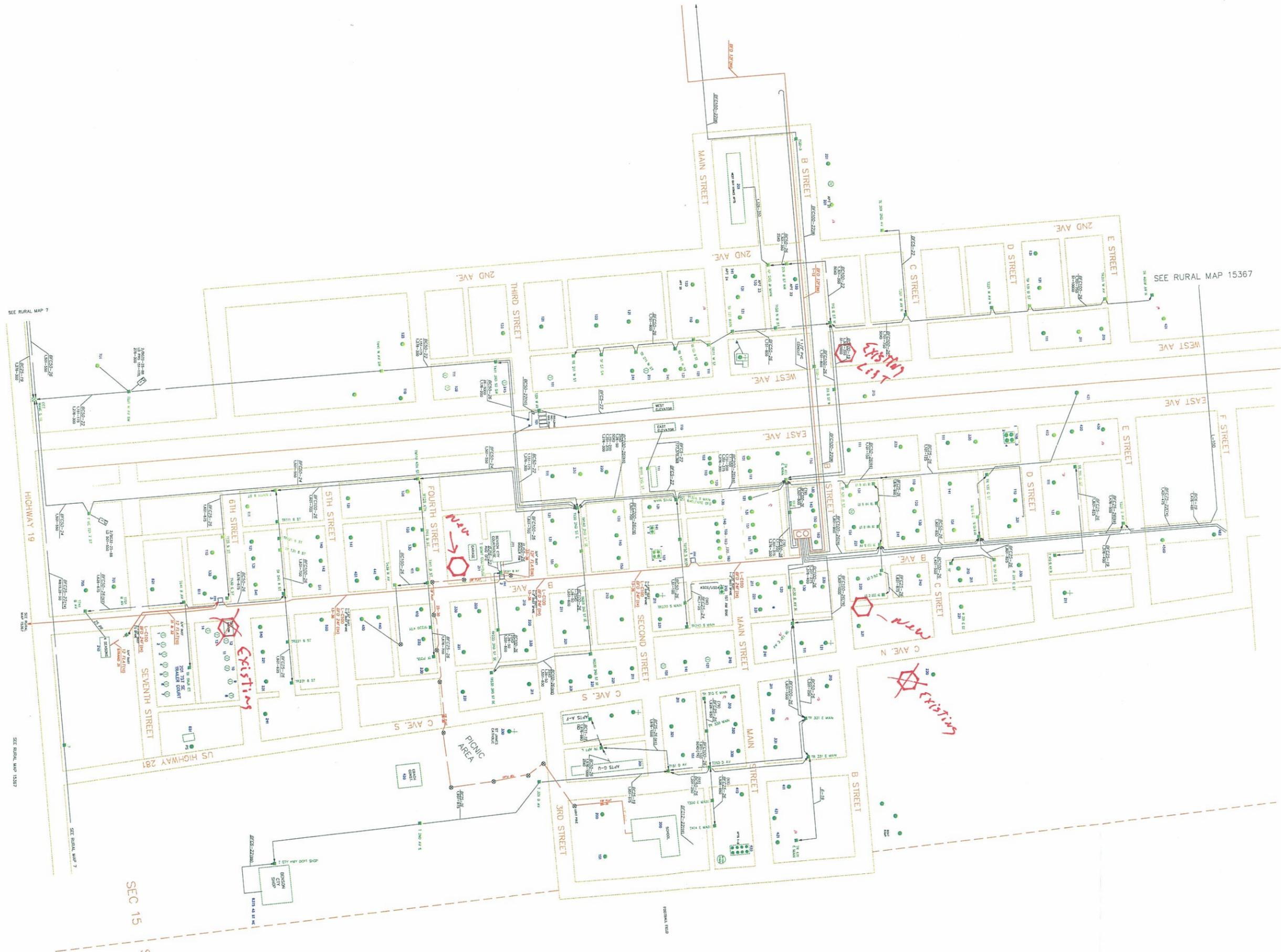
If you have any questions Erik, please call.

Sincerely,

A handwritten signature in blue ink that reads "Terry".

Terry Thompson  
Outside Plant Engineering Supervisor  
NDTC





SEE RURAL MAP 15367

SEE RURAL MAP 7

HIGHWAY 19

SEE RURAL MAP 1537

SEE RURAL MAP 7

SEC 15

SEC 14

Existing

New

EXISTING

New

EXISTING

2ND AVE

2ND AVE

2ND AVE

US HIGHWAY 281

C AVE S

C AVE S

C AVE N

EAST AVE

EAST AVE

WEST AVE

WEST AVE

THIRD STREET

MAIN STREET

B STREET

C STREET

D STREET

E STREET

SEVENTH STREET

SIXTH STREET

FIFTH STREET

FOURTH STREET

SECOND STREET

MAIN STREET

B STREET

C STREET

D STREET

E STREET

3RD STREET

MAIN STREET

B STREET

PICNIC AREA

SCHOOL

ROADWAY FIELD

ROBINSON CITY SHOP

