

APPENDIX J

New Town Site and Infrastructure Scoping Package and Responses

April 1, 2011

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

**Re: City of Minnewaukan Relocation
Proposed Townsite Infrastructure Improvements
Benson County, North Dakota**

Dear <<NAME>>:

On behalf of the City of Minnewaukan and the Economic Development Association (EDA), Kadmas, Lee & Jackson is performing an engineering and environmental study for infrastructure improvements to the proposed townsite for Minnewaukan, North Dakota. The proposed townsite is located in the NW¼ of Section 9, Township 153 North, Range 67 West; approximately two miles northwest of the existing townsite. ***Please refer to the enclosed Project Location Map.***

The proposed project is part of the City of Minnewaukan's overall plan to relocate the existing town due to the rising lake levels of Devils Lake. The project would consist of constructing roads, water lines, a water tower, sewage lift stations, and sewer lines within the proposed city limits. Additionally, the project would include connecting the existing townsite water system to the proposed townsite water system, the proposed sewage force main to the existing sewage lagoon, and relocating the existing well supply line. Structure acquisition within the existing townsite and relocation of structures to the proposed townsite are being developed as projects separate from the proposed project and would be funded through alternate funding sources.

The proposed townsite improvements would primarily be funded through EDA grants, with supporting funds from the State Disaster Relief Fund, Drinking Water State Revolving Fund, Clean Water State Revolving Fund, U.S. Department of Agriculture Rural Development funds, and U.S. Army Corps of Engineers funds. The project is anticipated to begin in spring of 2011 and be completed in fall of 2012.

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 improvements. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed project. Any information that might help us in our studies would be appreciated.

Page 2

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 1, 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

Proposed Townsite Infrastructure Improvements Minnewaukan, North Dakota



Devils Lake

281

281

19

- Existing Raw Water Supply
- Proposed Raw Water Supply
- Proposed Townsite To Existing Town Water Connection
- Proposed Townsite Force Main
- Proposed Townsite
- Minnewaukan City Limits



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		or Madam	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

Grand Forks Air Force Base

United States Army Corps of Engineers, Omaha District

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

United State Fish and Wildlife Service, Ecological Services ND Field Office

State

North Dakota Department of Health

North Dakota Forest Service

North Dakota Parks and Recreation Department

North Dakota State Water Commission

State Historical Society of North Dakota



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 4th Ave SW
PO Box 937
Valley City ND 58072-0937

Dear Mr. Gilbertson:

Your letter concerning a relocation study of the City of Minnewaukan, to a proposed location two miles northwest of the existing townsite in Benson County ND, 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 a large, stylized circular flourish.

DAVID D. MCCULLOUGH
Environmental Management Element Chief



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVENUE
OMAHA NE 68102-4901

April 18, 2011

Planning, Programs, and Project Management Division

Mr. Erik Gilbertson, P.E.
Kadrmass, Lee & Jackson
1010 4th Avenue SW
P.O. Box 937
Valley City, North Dakota 58072-0937

Dear Mr. Gilbertson:

The U.S. Army Corps of Engineers, Omaha District (Corps) has received numerous letters from Kadrmass, Lee & Jackson regarding the relocation of the City of Minnewaukan, North Dakota. This project is outside of the Omaha District Civil Works Boundary; therefore, our office cannot specifically provide comments on this project. The following generic comments are offered. It appears that all of the specific actions mentioned in each request for comment letter are a part of a larger town relocation project. In the future, please combine all actions associated with a project into one request for comment letter so the Corps can review the project as a whole, consider potential impacts and respond to proposed actions expeditiously.

We have forwarded all communication regarding this project to the St. Paul District Office listed below. Please direct all future correspondence regarding this project to the St. Paul District Office at the following address:

Mr. Aaron M. Snyder
Chief, Project Mgmt and Development
St. Paul District
US Army Corps of Engineers
180 Fifth Street East, Suite 700
St. Paul, Minnesota 55101-1678

Additionally, please continue to coordinate project activities with the Corps North Dakota Regulatory Office at the following address:

U.S. Army Corps of Engineers
Bismarck Regulatory Office
Attention: CENWO-OD-R-ND/Cimarosti
1513 South 12th Street
Bismarck, North Dakota 58504

If you have any questions, please contact Mr. John Shelman of my staff at (402) 995-2708.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Thompson", with a long horizontal flourish extending to the right.

Brad Thompson
Chief, Environmental Resources and Missouri
River Recovery Program Plan Formulation Section



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640
April 6, 2011

REPLY TO
ATTENTION OF

North Dakota Regulatory Office

Kadrmass, Lee & Jackson
ATTN: Erik Gilbertson, P.E.
1010 4th 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 City of Minnewaukan Relocation project. The letter describes a part of the City's overall plan to relocate the existing townsite due to the rising water levels of Devils Lake. This would include the construction of roads, water lines, a water tower, sewage lift stations, and sewer lines within the proposed city limits. In addition, other items would include the connecting the new townsite to the existing water system, sewage treatment facility and relocating the existing well supply line.

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.

Many of the aforementioned activities could 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,

A handwritten signature in blue ink, appearing to read "M. Mikulecky".

Matthew J. Mikulecky
Project Manager
North Dakota Regulatory Office

Enclosure

Kadrmas
Lee &
Jackson

Engineers Surveyors
Planners

April 1, 2011

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

**Re: City of Minnewaukan Relocation
Proposed Townsite Infrastructure Improvements
Benson County, North Dakota**

Dear Mr. Towner:

On behalf of the City of Minnewaukan and the Economic Development Association (EDA), Kadrmas, Lee & Jackson is performing an engineering and environmental study for infrastructure improvements to the proposed townsite for Minnewaukan, North Dakota. The proposed townsite is located in the NW $\frac{1}{4}$ of Section 9, Township 153 North, Range 67 West; approximately two miles northwest of the existing townsite. ***Please refer to the enclosed Project Location Map.***

The proposed project is part of the City of Minnewaukan's overall plan to relocate the existing town due to the rising lake levels of Devils Lake. The project would consist of constructing roads, water lines, a water tower, sewage lift stations, and sewer lines within the proposed city limits. Additionally, the project would include connecting the existing townsite water system to the proposed townsite water system, the proposed sewage force main to the existing sewage lagoon, and relocating the existing well supply line. Structure acquisition within the existing townsite and relocation of structures to the proposed townsite are being developed as projects separate from the proposed project and would be funded through alternate funding sources.

The proposed townsite improvements would primarily be funded through EDA grants, with supporting funds from the State Disaster Relief Fund, Drinking Water State Revolving Fund, Clean Water State Revolving Fund, U.S. Department of Agriculture Rural Development funds, and U.S. Army Corps of Engineers funds. The project is anticipated to begin in spring of 2011 and be completed in fall of 2012.

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 improvements. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed project. Any information that might help us in our studies would be appreciated.

701 845 4980

1010 4th Avenue SW

PO Box 937

Valley City, ND 58072-0937

Fax 701 845 0252

www.kljeng.com

Kadrmas, Lee & Jackson, Inc.

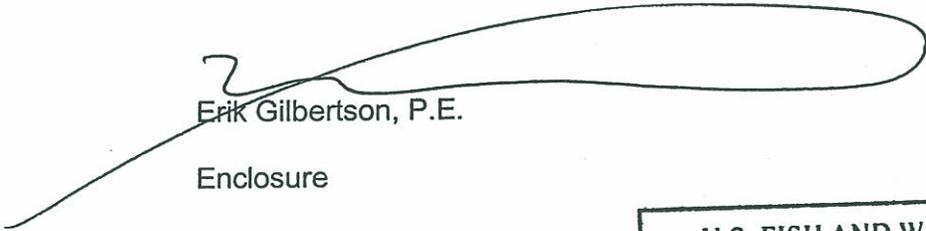
A KLJ Solutions Company

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 1, 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 Jeffrey K. Towner
Date Jeffrey K. Towner
Field Supervisor



April 14, 2011

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

Re: City of Minnewaukan Relocation
Proposed Townsite Infrastructure Improvements
Benson County

Dear Mr. Gilbertson:

This department has reviewed the information concerning the above-referenced project submitted under date of April 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. 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.

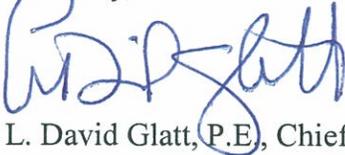
4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction 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 4th 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, 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



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

April 15, 2011

Erik Gilbertson
Kadmas Lee & Jackson
1010 4th Avenue SW
PO Box 937
Valley City, ND 58072-0937

Re: City of Minnewaukan Relocation - Proposed Townsite Infrastructure Improvements

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 a number of infrastructure improvements to the proposed townsite for Minnewaukan, North Dakota.

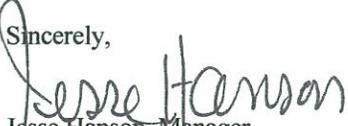
Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage but may affect state Land and Water Conservation Fund (LWCF) project sites that we manage. 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 jriep1@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) of our staff. Thank you for the opportunity to comment on this proposed project.

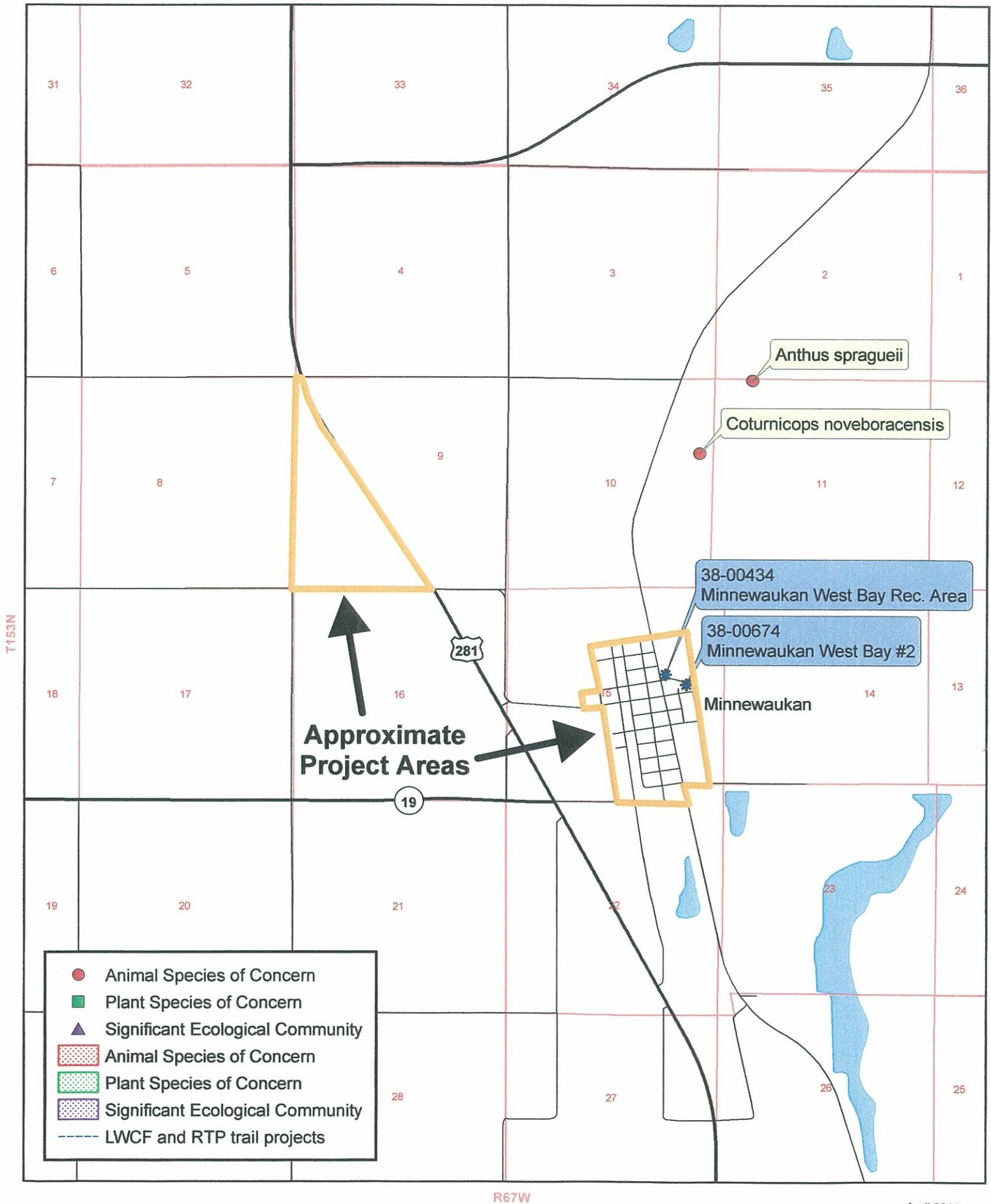
Sincerely,


Jesse Hanson, Manager
Planning and Natural Resources Division

R.USNDNHI*2011-081 KD4/12/2011/DL5.1.2011

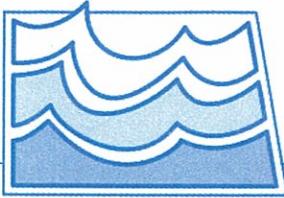
.....
Play in our backyard!

North Dakota Parks and Recreation Department North Dakota Natural Heritage Inventory



North Dakota Natural Heritage Inventory
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Coturnicops noveboracensis	Yellow Rail	S2	G4		153N067W - 10; 153N067W - 09; 153N067W - 16; 153N067W - 01; 153N067W - 12; 153N067W - 14; 153N067W - 04; 153N067W - 15; 153N067W - 02; 153N067W - 03; 153N067W - 11	Benson	1981-09-03		M
Anthus spragueii	Sprague's Pipit	S3	G4		153N067W - 11; 153N067W - 01; 153N067W - 04; 153N067W - 02; 154N067W - 34; 153N067W - 03; 154N067W - 35; 153N067W - 12; 153N067W - 10; 153N067W - 14; 153N067W - 09; 153N067W - 15	Benson	1981-09-03		M



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
Kadrmas, 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 City of Minnewaukan Relocation, Proposed Townsite Infrastructure Improvements, Benson County, ND.

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

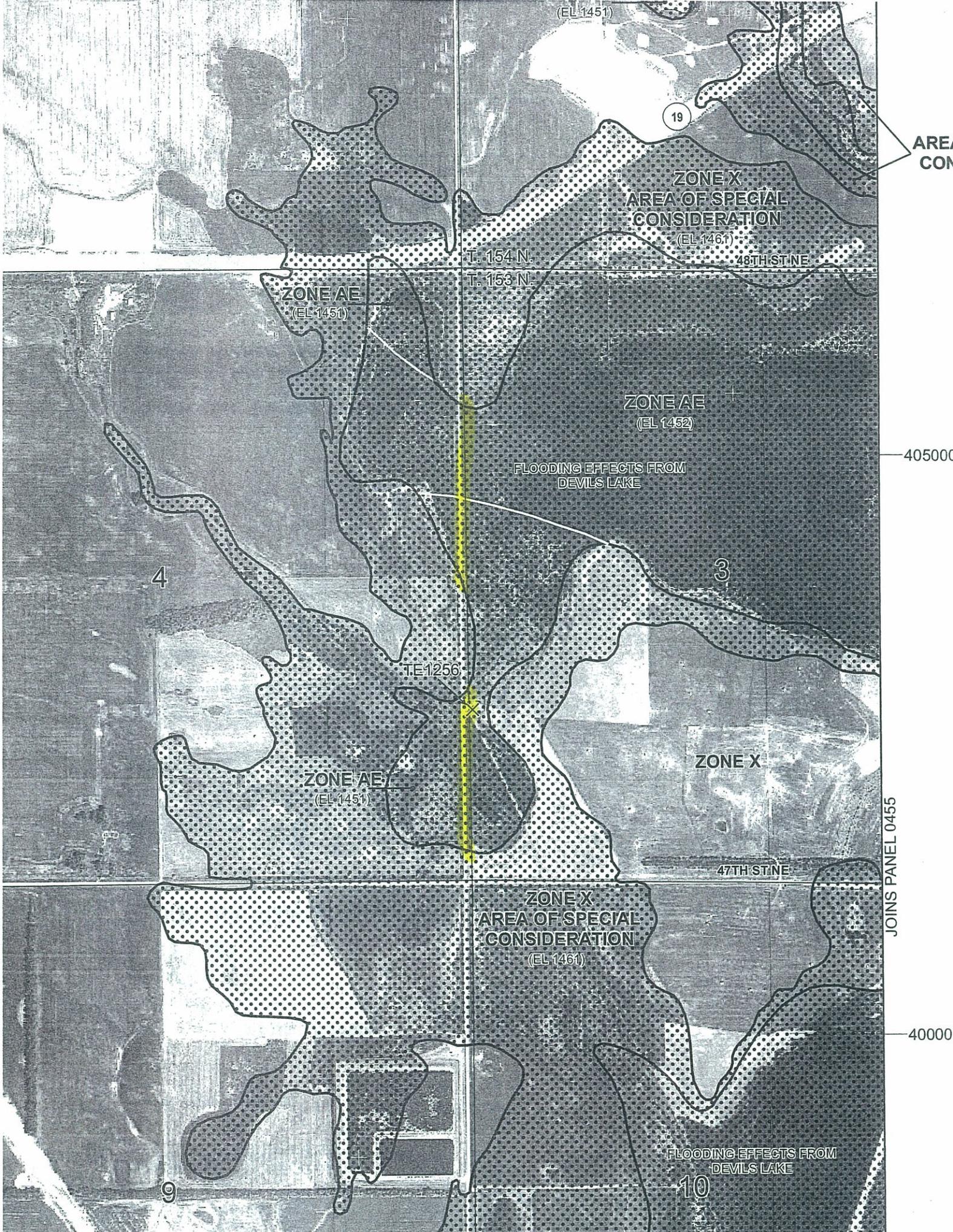
- The attached partial copy of Benson County Flood Insurance Rate Map dated April 16, 2009 depicts the floodplain where part of the project is located. Prior to construction in the floodplain the City of Minnewaukan needs to apply for a non-building floodplain development permit to: Ellen Huffman, Benson County, PO Box 288, Minnewaukan, ND 58351, 701-473-5524.
- 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



AREA CON

ZONE X
AREA OF SPECIAL
CONSIDERATION
(EL 1461)

T. 154 N
T. 153 N

48TH ST NE

ZONE AE
(EL 1451)

ZONE AE
(EL 1452)

FLOODING EFFECTS FROM
DEVILS LAKE

405000

4

3

TE1256

ZONE AE
(EL 1451)

ZONE X

47TH ST NE

JOINS PANEL 0455

ZONE X
AREA OF SPECIAL
CONSIDERATION
(EL 1461)

400000

FLOODING EFFECTS FROM
DEVILS LAKE

9

10

NON-BUILDINGSITUATION
FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

SECTION 1: GENERAL INFORMATION

PERMIT # _____

DATE: _____

Applicant:

Telephone #

Address:

Location of Proposed Development:

Legal description:

Contractor:

Telephone #

Address:

Estimated Cost of project:

\$

FLOODPLAIN DETERMINATION (fill-in the appropriate information) :

Project is located: 100-year floodplain (Flood Fringe): _____

Regulatory Floodway: _____

Map information: FIRM Date: _____

FIRM Zone: _____

BFE at Development Site: _____ (MSL)

Development will be elevated to: _____ (MSL)



**STATE
HISTORICAL
SOCIETY**
OF NORTH DAKOTA

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Merlan E. Paaverud, Jr.
Director

Accredited by the
American Association
of Museums since 1986

April 12, 2011

Erik Gilbertson
Kadrmass, Lee and Jackson Inc.
1010 4th Ave SW
PO Box 937
Valley City, ND 58072-0937

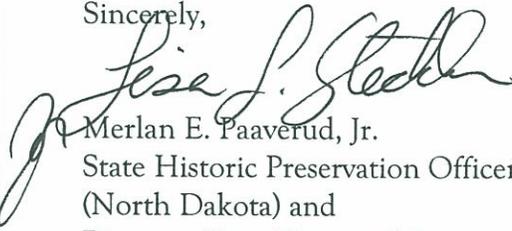
ND SHPO Ref.: 11-1044 EDA, State Disaster Relief Fund, Drinking Water State Revolving Fund, Clean Water State Revolving Fund, USDA Rural Development funds, and US Army Corps of Engineers funding for proposed townsite infrastructure improvements, City of Minnewaukan Relocation, Minnewaukan, Benson County, North Dakota

Dear Mr. Gilbertson

We received ND SHPO Ref.: 11-1044 EDA, State Disaster Relief Fund, Drinking Water State Revolving Fund, Clean Water State Revolving Fund, USDA Rural Development funds, and US Army Corps of Engineers funding for proposed townsite infrastructure improvements, City of Minnewaukan Relocation, Minnewaukan, Benson County, North Dakota. We recommend a Class III CRI of the proposed APE.

Thank you for opportunity to review this project. Please include the ND SHPO Reference number listed above in any further correspondence for this specific project. My contact information is Lisa Steckler, Historic 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