

APPENDIX H

Additional Tribal Scoping

October 28, 2011

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

**Re: Minnewaukan Relocation Project
Benson County, North Dakota**

Dear <<NAME>>:

On behalf of the City of Minnewaukan and Benson County Housing Authority (BCHA), Kadrmass, Lee & Jackson is preparing an Environmental Assessment (EA) for the relocation of portions of Minnewaukan, North Dakota. The Federal Emergency Management Administration (FEMA) is acting as lead federal agency in the development of the EA. The EA will analyze five separate projects, cumulatively referred to as the Minnewaukan Relocation Project, as described below:

1. City acquisition of a new town site (approximately 80 acres) located in the NW¼ of Section 9, T153N, R67W, as well as infrastructure development to, and within, the proposed town site. This infrastructure development would consist of constructing roads, water lines, sewage lift stations, and sewer lines within the proposed city limits. The project would include connecting the existing town site water system to the proposed town site water system, and the proposed sewage force main to the existing sewage lagoon. Funding for this project would be through the Economic Development Administration, North Dakota Drinking Water State Revolving Fund, and North Dakota Disaster Relief Fund.
2. City relocation of 21 residential and/or commercial structures to the proposed town site and acquisition/demolition of 69 residential and/or commercial structures. Funding for this project would be through FEMA Hazard Mitigation Grant funds.
3. BCHA relocation of six residential structures to the proposed town site. Funding for this project would be through the U.S. Department of Housing and Urban Development.
4. Relocation of 18,000 feet of municipal well line approximately 0.5 miles west of its existing location. Funding for this project would be through North Dakota Drinking Water State Revolving Fund and North Dakota Disaster Relief Fund.
5. City construction of a new water tower and demolition of the existing water tower. Funding for this project would be through the U.S. Army Corps of Engineers and North Dakota Drinking Water State Revolving Fund.

701 845 4980

1010 4th Avenue SW

PO Box 937

Valley City, ND 58072-0937

Fax 701 845 0252

kljeng.com

Please refer to the attached maps for an overview of the project locations and detailed views of the relocations, acquisitions, and infrastructure development projects. A list of each structure proposed for relocation and acquisition is also attached.

The need for the Minnewaukan Relocation Project is driven by the rising lake elevation of Devils Lake. Over the last 18 years, Devils Lake has tripled in size and risen nearly 30 feet in elevation. These rising waters are encroaching on the city of Minnewaukan, which is situated along the western shores of Devils Lake. Residential, commercial, and government structures, as well as other city infrastructure, are all in danger of being inundated as the lake elevation continues to rise, which would leave the city virtually uninhabitable. A levee has been constructed that will temporarily protect the city from rising waters; however, this levee will be removed and/or breached within two years.

Construction of the Minnewaukan Relocation Project is anticipated to begin in 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. Per Section 106 of the National Historic Preservation Act, we are also interested in determining the potential effects to historic resources. We are particularly interested in any tribal interests you may have within or adjacent to the project area. Any information that might help us in our studies would be appreciated.

It is requested that any comments or information be forwarded to our office on or before **November 28, 2011**. We request your comments by that date to ensure that we will have ample time to review them and incorporate them into the EA.

If further information is desired regarding the proposed project, please contact me at (406) 207-0273 or Erik Gilbertson, Project Engineer, at (701) 845-4980. Thank you for your time and cooperation.

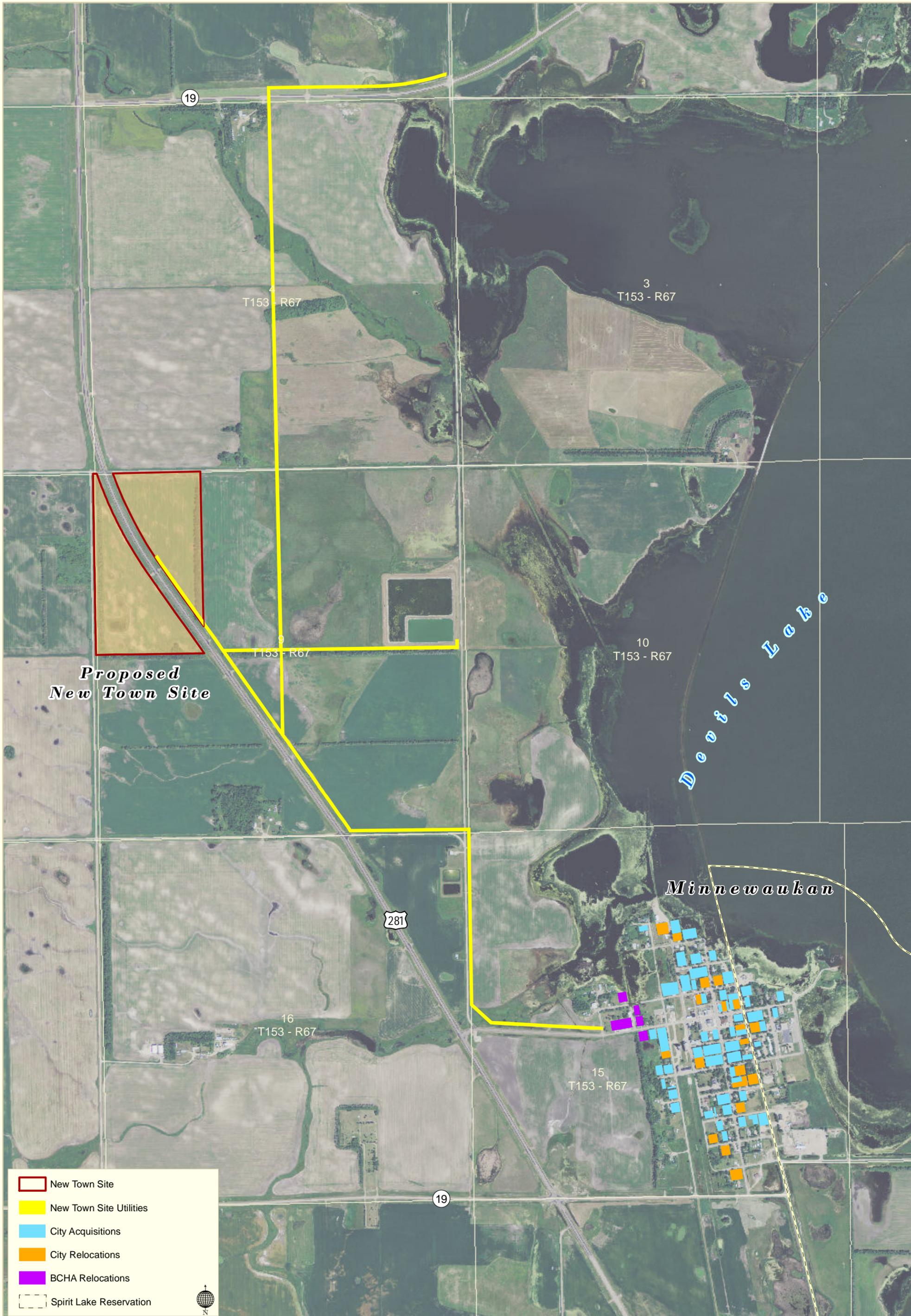
Sincerely,
Kadrmas, Lee & Jackson, Inc.



Becky Rude
Environmental Planner

Enclosures

Minnewaukan Relocation Project Overview



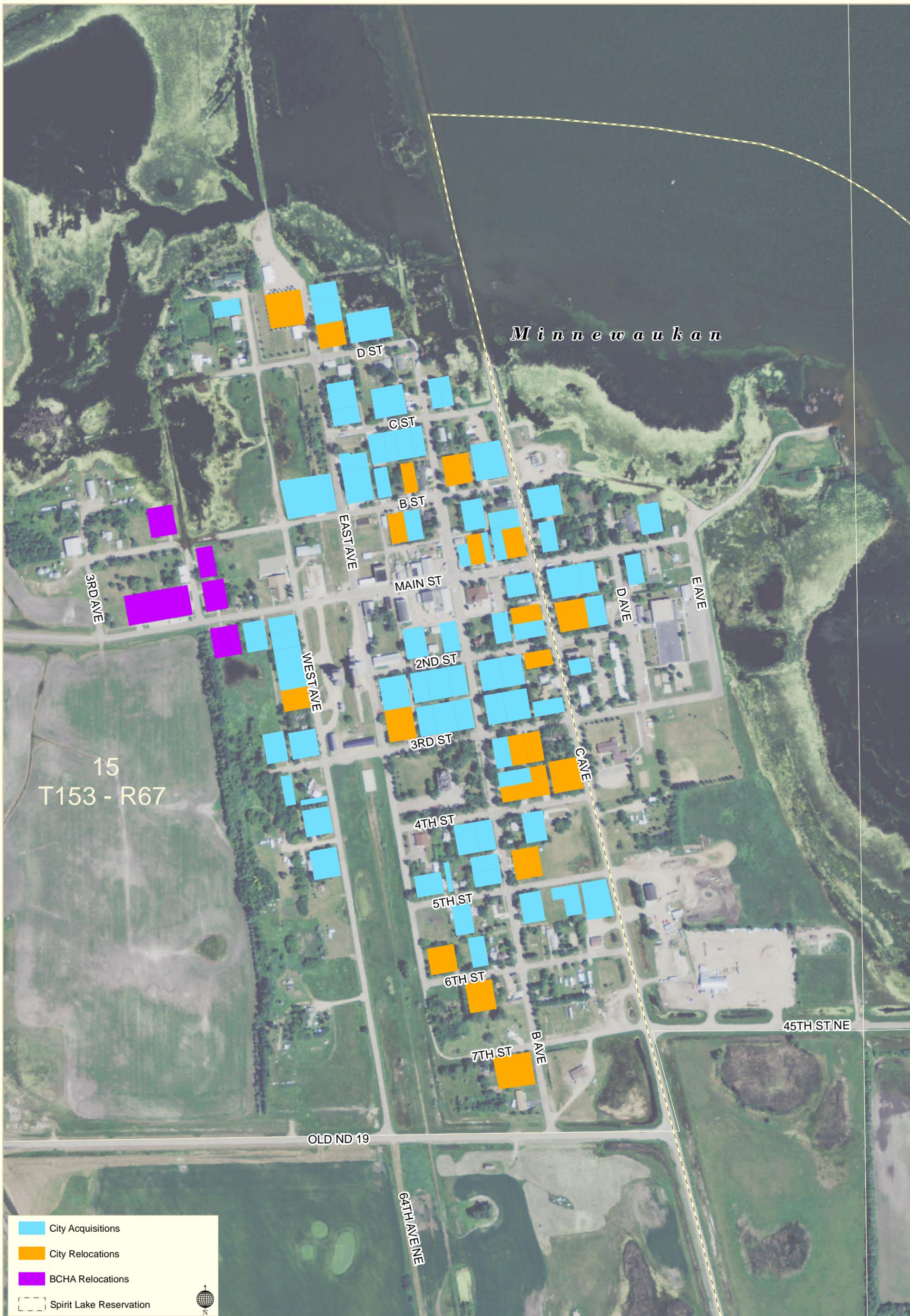
Proposed Townsite Infrastructure, Well Line Relocation, and Water Tower Projects



- Existing Town Water Connection
- New Town Site Water Connection
- Proposed Raw Water Supply
- New Town Site Force Main
- New Town Site
- Spirit Lake Reservation



Structure Acquisition/Demolition & Relocation Projects



Proposed Relocations and Acquisitions

Relocations			
Funding Agency	Existing Address	Year Built	Legal Description
FEMA	321 2 nd St	1915	Lots 19, 20, 21 & W ½ of Lot 22 BLK 3 Hegge Comstock ADD Minnewaukan City
	151 B St	1980	Lots 18 & 19 & W 1/2 of Lot 20 BLK 41 Original Minnewaukan City
	140 B St	1977	Lots 29, 30 & 31 BLK 44 Original Minnewaukan City
	111 3 rd St	1965	Lots 7, 8, 9, 10, 11 & 12 BLK 58 Original Minnewaukan City
	241 Main St	2000	Lot 8, 9, 10, 11 & 12 (Less W 50') & S 1/2 Lot 7 (Less W 50') BLK 43 Original Minnewaukan City
	221 Main St	1989	Lot 14 (Less E 5') & Lots 15 & 16 BLK 43 Original Minnewaukan City
	141 C Ave	1935	Lots 7, 8 & 9 BLK 56 Original Minnewaukan City
	220 3 rd St	1900	Lots 25, 26 & 27 BLK 70 Original Minnewaukan City
	330 B Ave S	1894	S 1/2, of Lots 16, 17, 18, 19, 20 & 21 BLK 70 Original Minnewaukan City
	450 B Ave	1961	Lots 18 & 19 & S1/2 of Lots 20, 21 & 22 BLK 71 Original Minnewaukan City, N 70' of Lots 20, 21 & 22 BLK 71 Original Minnewaukan City
	410 East Ave N	1900	Lots 9, 10, 11 & 12 & S 1/2 of Lot 8 BLK 27 Original Minnewaukan City
	121 6 th St	1930	Lots 8, 9, 10, 11 & 12 BLK 83 Original Minnewaukan City
	231 4 th St	1980	Lots 7, 8 & 9 BLK 70 Original Minnewaukan City, Lots 10, 11 & 12 BLK 70 Original Minnewaukan City
	110 6 th St	1978	Lots 28, 29, 30, 31 & 32 BLK 86 Original Minnewaukan City
	421 East Ave N	1979	Lots 22, 23, 24, 25, 26, 27 & 28 Block A Railroad ADD Minnewaukan City
	311 2 nd St	1916	Lots 13, 14, 15, 16, 17 & 18 BLK 3 Hegge Comstock ADD Minnewaukan City
	221 4 th St	1961	Lots 13, 14 & 15 BLK 70 Original Minnewaukan City
	701 B Ave	2000	15-153-67 177' x 150' IN SW4SE4 (Less.23A For STR) (BK60 pg165) 25' x 150' W of Main Lot (BK75 PG269) Out Lots Minnewaukan City
211 C Ave W	1920	Lots 1, 2 & 3 BLK 57 Original Minnewaukan City	
141 W Ave S	1976	Lots 1, 2, 3 & Vacated Portion if 2 nd St (66 X 140') BLK 59 Original Minnewaukan City	

FEMA	230 3 rd St	1960	Lots 28, 29 & 30 BLK 70 Original Minnewaukan City
HUD	120 2 nd Ave N	1970	Lots 18 Thru 26 BLK 45 Original Minnewaukan City
	130 2 nd Ave N	1970	Lots 18 Thru 26 BLK 45 Original Minnewaukan City
	120 Main St W	1970	Lots 23, 24, 25, 26, 27 & 28 BLK 54 Original Minnewaukan City
	141 Main St W	1970	Lots 18 Thru 26 BLK 45 Original Minnewaukan City
	201 Main St W	1970	All of BLK 46 Original Minnewaukan City
	201 West B St	1970	15-153-67 100X140' In SE4NW4 Outlots Minnewaukan City (Not Part of Lot X Address Location is Corner of B St N & 2nd Ave W
Acquisitions			
Funding Agency	Existing Address	Year Built	Legal Description
FEMA	410 Main St	1890	Lots 10, 11 & 12 BLK 5 Hegge Comstock ADD Minnewaukan City
	520 B Ave	1955	Lots 1,2,3,4,5 7 6 (Less RW) BLK 84 Original Minnewaukan City , Lots 24, 25, 26,& 27 BLK 84 Original Minnewaukan City, Lots 32, 33, 34 & Lots 30 & 31 (Less S 86') BLK 84 Original Minnewaukan City
	421 Main St	1950	Lots 17, 18, 19 & 20 BLK 6 Hegge Comstock ADD Minnewaukan City (Dads)
	430 East Ave N	1900	Lots 1,2 & 3 & N 12.5' of Lot 4 BLK 27 Original Minnewaukan City
	420 East Ave N	1900	Lots 5, 6 & 7 & S 12.5' of Lot 4 & N1/2 of Lot 8 BLK 27 Original Minnewaukan City
	320 Main St	1957	Lots 4, 5 & 6 BLK 3 Hegge Comstock ADD Minnewaukan City
	321 2 nd St	1915	Lots 19, 20, 21 & W 1/2 of Lot 22 BLK 3 Hegge Comstock ADD Minnewaukan City
	441 B Ave	1920	N2 of Lots 18, 19, 20, 21, 22 & Vacated Alley BLK 72 Original Minnewaukan City
	451 B Ave	1920	S2 of Lots 18, 19, 20, 21 & 22 BLK 72 Original Minnewaukan City
	211 C St	1910	Lots 13 & 14 BLK 29 Original Minnewaukan City
	131 6 th St	1910	Lots 15, 16 & 17 BLK 83 Original Minnewaukan City
	140 5 th St	1969	Lots 30, 31 & 32 & W 1/2 of Lot 29 BLK 83 Original Minnewaukan City
	231 3 rd St	1951	Lot 11 & 12 & S 20' of Lot 10 BLK 57 Original Minnewaukan City
	130 4 th St	1900	Lots 26, 27, 28 & 29 BLK 72 Original Minnewaukan City

FEMA	320 B Ave	1957	N2 of Lots 16, 17, 18, 19, 20 & 21 BLK 70 Original Minnewaukan City
	110 C St	1969	Lots 30, 31 & 32 BLK 41 Original Minnewaukan City
	121 3 rd St W	1900	Lots 13, 14, 15 & 16 BLK 59 Original Minnewaukan City
	111 D St E	1966	Lots 13, 14, 15 & 16 BLK 27 Original Minnewaukan City, Lots 17 & 18 BLK 27 Original Minnewaukan City, Lots 19 & 20 BLK 27 Original Minnewaukan City
	120 C St	1925	Lots 28 & 29 BLK 41 Original Minnewaukan City
	315 West Ave N	1900	Lots 1, 2 & 3 BLK 26 Original Minnewaukan City
	330 E Ave	1900	Lots 5, 6, 7, 8 & 9 BLK 30 Original Minnewaukan City, Lots 13 & 14 BLK 30 Original Minnewaukan City
	241 B Ave N	1886	Lots 23 & 24 BLK 41 Original Minnewaukan City
	231 B St	1999	Lots 7, 8, 9, 10, 11 & 12 & S 20' of Lot 6 BLK 42 Original Minnewaukan City
	310 B Ave N	1966	Lots 15 & 16 BLK 29 Original Minnewaukan City
	121 5 th St	1980	Lots 9, 10, 11, 12, 13 & Vacated Alley (20x162.5') BLK 72 Original Minnewaukan City
	310 B St E	1920	Lots 8, 9, 10, 11, 12 & 13 BLK 2 Hegge Comstock ADD Minnewaukan City (Office)
	220 C Ave	1900	S2 of Lots 8, 9, 10 & 11 BLK 4 Hegge Comstock ADD Minnewaukan City
	111 C St	1980	Lots 10, 11 & 12 BLK 30 Original Minnewaukan City
	141 C St	1941	Lots 15, 16, 17, 18, 19 & 20 BLK 30 Original Minnewaukan City
	411 B Ave	1955	Lots 23, 24 & 25 BLK 72 Original Minnewaukan City
	130 C St	1910	Lots 25, 26 & 27 BLK 41 Original Minnewaukan City
	150 2 nd St	1931	Lots 23, 24 & 25 BLK 58 Original Minnewaukan City
	140 2 nd St	1996	Lots 26, 27, 28 & 29 BLK 58 Original Minnewaukan City
	120 2 nd St E	1910	Lots 30, 31 & 32 BLK 58 Original Minnewaukan City
	150 B St	1976	Lots 26, 27 & 28 BLK 44 Original Minnewaukan City
	121 3 rd St	1900	Lots 13, 14 & 15 BLK 58 Original Minnewaukan City
	230 B St	1900	Lots 21, 22, 23 & 24 BLK 43 Original Minnewaukan City
	131 W Ave S	1971	Lots 7, 8, 9, 10, 11 & 12 BLK 54 Original Minnewaukan City
	230 E Ave N	1975	Lots 4, 5, 6 & 60'x10' In SW Cor of Lot 3 BLK 41 Original Minnewaukan City
	221 3 rd St	1900	Lots 13, 14, 15 & 16 & E 1/2 of Lot 17 BLK 57 Original Minnewaukan City
	111 4 th St W	1981	Lots 8, 9, 10, 11 & 12 BLK 68 Original Minnewaukan City
111 B St	1972	Lots 7, 8, 9, 10, 11 & 12 BLK 41 Original Minnewaukan City	
310 B Ave	1966	Lots 22, 23 & 24 BLK 70 Original Minnewaukan City	

FEMA	210 B Ave	1900	Lots 21, 22, 23 & 24 BLK 57 Original Minnewaukan City
	211 Main St	1900	S 100' of Lots 17 & 18 BLK 43 Original Minnewaukan City
	131 2 nd St	1930	Lots 13, 14, 15 & 16 BLK 55 Original Minnewaukan City
	151 C Ave	1984	Lots 10, 11 & 12 BLK 56 Original Minnewaukan City
	110 Main St W	1900	Lots 29, 30, 31 & 32 BLK 54 Original Minnewaukan City
	120 3 rd St W	1900	Lots 31 & 32 BLK 68 Original Minnewaukan City
	121 W Ave S	1910	Lots 4, 5 & 6 BLK 54 Original Minnewaukan City
	131 3 rd St	1901	Lots 16, 17, 18 & 19 BLK 58 Original Minnewaukan City
	311 Main St	1920	Lot 15, 16 & 17 BLK 2 Hegge Comstock ADD Minnewaukan City
	231 Main St	1900	W 50' of Lots 7, 8, 9, 10, 11 & 12, All of Lot 13 & ADJ Vacated Alley, & E 5' of Lot 14 BLK 43 Original Minnewaukan City
	161 W Ave S	1912	Lots 8, 9, 10, 11 & 12 BLK 59 Original Minnewaukan City
	111 C Ave	1971	Lots 4, 5 & 6 & N 1/2 of Lot 7 (Less W 50' of Lot 7) BLK 43 Original Minnewaukan City
	215 E Ave N	2003	Lots 8, 9 & 10 BLK A Railroad ADD Minnewaukan City
	111 W Ave S	1900	Lots 1, 2 & 3 BLK 54 Original Minnewaukan City
	230 2 nd St	1902	Lots 25, 26, 27 & 28 BLK 57 Original Minnewaukan City
	131 B St	1900	Lots 13 & 14 & W 1/2 of Lot 15 BLK 41 Original Minnewaukan City, Lots 16 & 17 & E 1/2 of Lot 15 BLK 41 Original Minnewaukan City
	211 3 rd St	1900	Lots 18, 19 & 20 & W 1/2 of Lot 17 BLK 57 Original Minnewaukan City
	220 4 th St	1958	Lots 26, 27, 28 & 29 BLK 71 Original Minnewaukan City
	220 E Ave S	1900	Lots 3, 4, 5, 6 & S1/2 of Lot 2 BLK 58 Original Minnewaukan City, Lots 1 & N 1/2 of Lot 2 BLK 58 Original Minnewaukan City
	151 3 rd St	1880	Lots 20, 21 & 22 BLK 58 Original Minnewaukan City
310 Main St	1900	Lots 7, 8, 9, 10, 11 & 12 BLK 3 Hegge Comstock ADD Minnewaukan City	
125 W Ave	1971	Lots 1, 2, 3, 4 & 5 BLK 68 Original Minnewaukan City, Lot 6 BLK 68 Original Minnewaukan City	
240 Main St	1897	Lots 1, 2, 3 & 4 BLK 56 Original Minnewaukan City	
110 4 th St W	1975	Lots 1, 2, 3, 4, 5 & N 1/2 of Lot 6 BLK 73 Original Minnewaukan City	

FEMA	101 B Ave	1970	Lots 21, 22 & 20 (Less 7.89 x 37.61 x 6.69 x 37.32 -271 Sq Ft) BLK 55 Original Minnewaukan City (INCL 4-Plex & East 4 Garages)
	231 2 nd St	1900	Lots 13, 14 & 15 BLK 56 Original Minnewaukan City

Mailing List

CTitle	First Name	Last Name	Title	Agency	Address	City	State	Zip Code
Ms.	Waste'Win	Young	Tribal Historic Preservation Officer	Standing Rock Sioux Tribe	P.O. Box D	Fort Yates	ND	58538
Mr.	Richard	Thomas	Tribal Historic Preservation Officer	Santee Sioux Nation	108 Spirit Lake Avenue West	Niobrara	NE	68760
Mr.	Russell	Eagle Bear	Tribal Historic Preservation Officer	Rosebud Sioux Tribe	P.O. Box 809	Rosebud	SD	57570
Ms.	Whitney	White	Tribal Historic Preservation Officer	Prairie Island Indian Community	5636 Sturgeon Lake Rd.	Welch	MN	55089
Mr.	Wilmer	Mesteth	Tribal Historic Preservation Officer	Oglala Sioux Tribe of the Pine Ridge Reservation	P.O. Box 320	Pine Ridge	SD	57770
Ms.	Wanda	Wells	Tribal Historic Preservation Officer	Crow Creek Sioux Tribe	P.O. Box 50	Fort Thompson	SD	57339
Mr.	Steven	Vance	Tribal Historic Preservation Officer	Cheyenne River Sioux Tribe	P.O. Box 590	Eagle Butte	SD	57625
Mr.	Curley	Youpee	Tribal Historic Preservation Officer	Fort Peck Assiniboine & Sioux Tribes	P.O. Box 1027	Poplar	MT	59255
Mr.	Anthony	Morse	Tribal Historic Preservation Officer	Lower Sioux Indian Community in the State of Minnesota	P.O. Box 308	Morton	MN	56270
Mr.	Michael	Jandreau	Chairman	Lower Brule Sioux Tribe	P.O. Box 187	Lower Brule	SD	57548
Ms.	Clare	Green	Cultural Resource Officer	Lower Brule Sioux Tribe	P.O. Box 187	Lower Brule	SD	57548

APPENDIX I

New Town Site and Infrastructure Scoping Package and Responses

January 11, 2011

Dear Interested Party:

On behalf of the City of Minnewaukan, Kadrmas, Lee & Jackson, Inc. is preparing a relocation study. The study would provide preliminary planning for, and analyze the feasibility of, relocating portions of the city of Minnewaukan onto a 76.9-acre site approximately two miles northwest of its existing location. The proposed site is located in the NW¼ of Section 9, Township 153 North, Range 67 West. ***Please refer to the enclosed project location map.***

The proposed action being studied would consist of relocating portions of the city of Minnewaukan to a higher elevation due to the increasing water elevation of Devils Lake. The purpose of the study is to detail the relocation of the city and layout of the zoning, public utility and roadway infrastructure in new Minnewaukan, as well as updating the infrastructure in the original Minnewaukan. Infrastructure in the original Minnewaukan would be updated to remain functional as the lake rises to the overflow elevation. In addition, the study would provide a preliminary assessment of the affected environment on the proposed relocation site. At this time, there is no federal involvement in the relocation study. If the project moves forward and federal funding and/or approvals are required, the proposed action would be subject to the National Environmental Policy Act of 1969, as amended, and other applicable regulations.

We are interested in existing or proposed developments you may have within or near the proposed relocation site that should be considered in the study. We also ask your assistance in identifying any property or resources that you own, manage, oversee, or otherwise value that might be adversely impacted by the relocation of the city.

Please provide your comments by **January 25, 2011**. We request your comments by that date to ensure that we will have ample time to review them and incorporate them into the relocation study.

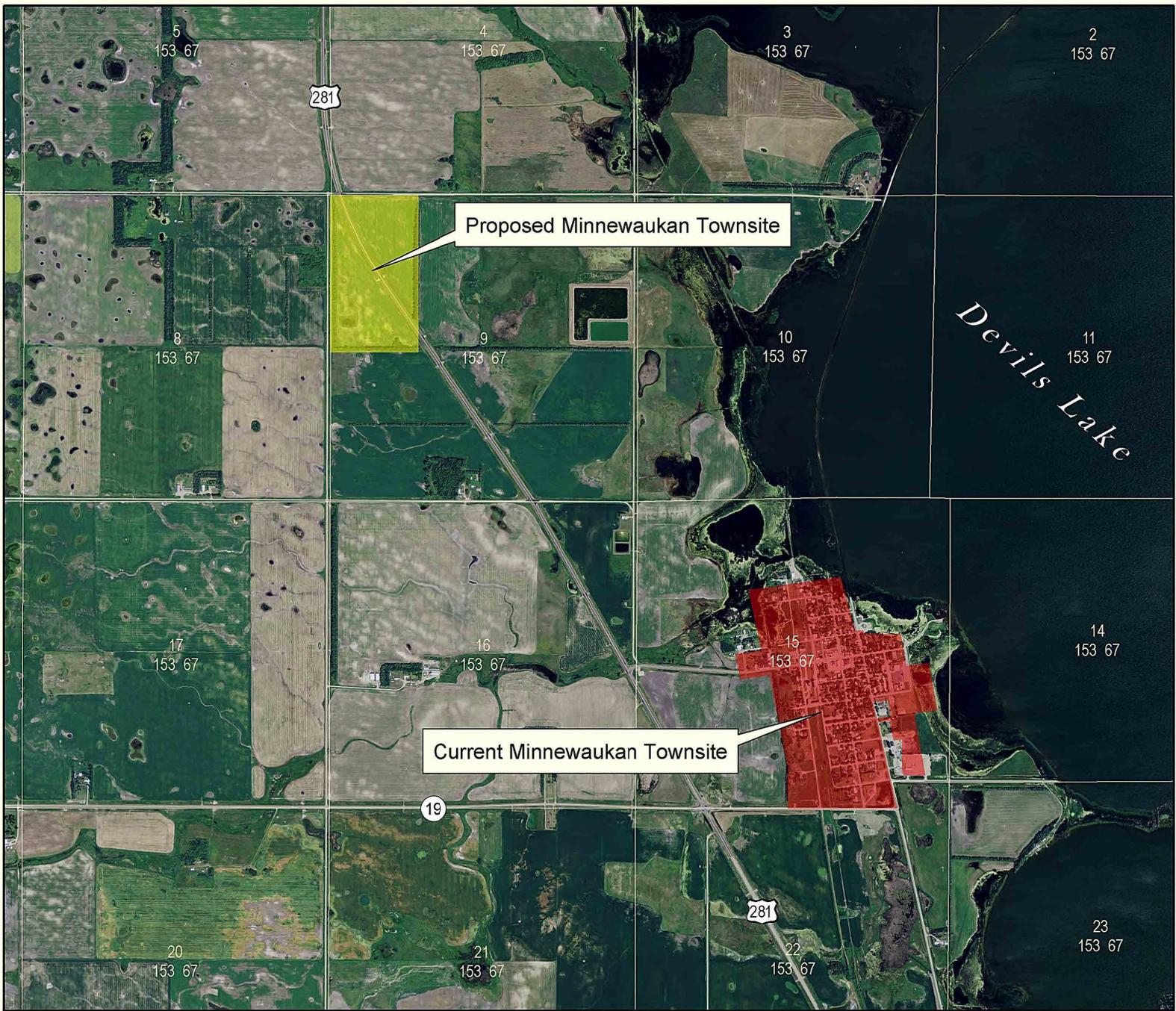
If you would like further information regarding this project, please contact Trish McQuoid, Mayor of Minnewaukan, at (701) 473-5735 or myself at (701) 845-9439. Thank you for your cooperation.

Sincerely,

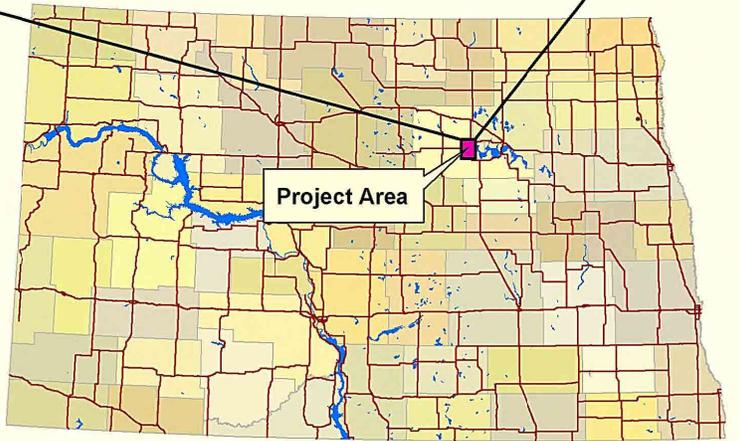
Kadrmas, Lee & Jackson, Inc.

Erik Gilbertson, P.E.

Enclosure (Map)



*Minnewaukan
Relocation Impact Study
Benson County, North Dakota*



Minnewaukan Relocation Study 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 & Deve	Technical Studies and Environmental Mana	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 Substat	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.	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
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

US Department of Agriculture – Natural Resources Conservation Service

US Department of Defense – Army Corps of Engineers

US Department of Defense – Department of the Air Force

US Department of Homeland Security – FEMA

US Department of Interior – Bureau of Indian Affairs

US Department of Interior – Fish and Wildlife Service

State

North Dakota Department of Emergency Services

North Dakota Department of Health

North Dakota Parks and Recreation Department

North Dakota State Water Commission

State Historical Society of North Dakota

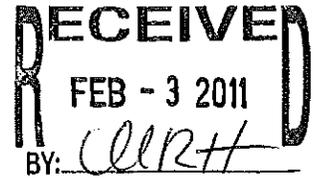
Local

Midcontinent Communications

North Dakota Telephone Company



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



COPY

January 31, 2011

Erik Gilbertson
Kadmas, Lee & Jackson
3203 32nd Ave. S, Ste. 201
PO Box 9767
Fargo, ND 58106-9767

RE: Study on the relocation of the city of Minnewaukan in Benson County, ND

Dear Mr. Gilbertson:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated January 11, 2010, regarding the study of the relocation of the city of Minnewaukan in Benson County, North Dakota.

Important Farmlands - NRCS has a major responsibility with FPPA in documenting conversion of farmland (i.e., prime, statewide, and local importance) to non-agricultural use. It appears your proposed project is not supported by federal funding or actions; therefore, no further action is required.

Wetlands - The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose of, or to have the effect of, making agricultural production possible, loss of USDA benefits could occur. NRCS has developed the following guidelines for the installation of buried utilities. If these guidelines are followed, the impacts to the wetland(s) will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements: 1) Disturbance to the wetland(s) must be temporary, 2) no drainage of the wetland(s) is allowed (temporary or permanent), 3) mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained, 4) temporary side cast material must be placed in such a manner not to be dispersed in the wetland, and 5) all trenches must be backfilled to the original wetland bottom elevation.



Mr. Gilbertson
Page 2

NRCS would recommend that impacts to wetlands be avoided. If the project requires passage through or disturbance of a wetland, NRCS can complete a certified wetland determination, if requested by the landowner/operator.

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

Sincerely,



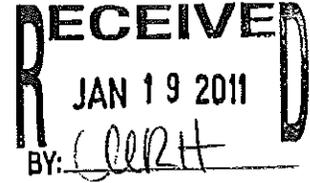
JEROME SCHAAR
State Soil Scientist/MO 7 Leader



REPLY TO
ATTENTION OF

North Dakota Regulatory Office

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640
January 13, 2011



Kadrmass, Lee & Jackson
Attn: Erik Gilbertson, PE
P.O. Box 9767
Fargo, North Dakota 58106-9767

COPY

Dear Mr. Gilbertson:

This is in response to your letter received January 12, 2011, 2010, on behalf of the city of Minnewaukan, requesting Department of the Army (DA), US Army Corps of Engineers (Corps) comments regarding the relocation of portions of the city onto a 76.0 acre site located approximately two (2) miles to the northwest in the NW1/4 of Section 9, Township 153 North, Range 67 West, Benson County, North Dakota

Corps regulatory offices administer Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. **Section 10 of the Rivers and Harbors Act** regulates work over, in or under navigable waters. **Section 404 of the Clean Water Act** regulates the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material include, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in the waters of the United States.

If your proposal would require a Section 10 and/or Section 404 permit, please complete and submit the enclosed Corps of Engineers permit application to the U. S. Army Corps of Engineers, North Dakota Regulatory Office, 1513 South 12th Street, Bismarck, North Dakota 58504. If you are unsure if a permit is required, you may submit an application, or, a letter requesting a jurisdictional determination. Include a project location map, description of work, and construction methodology when submitting either.

If we can be of further assistance or should you have any questions regarding our program, please do not hesitate to contact this office by letter or phone at (701) 255-0015.

Sincerely,

Daniel E. Cimarosti
Regulatory Program Manager
North Dakota

Enclosure

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
--------------------	----------------------	------------------	------------------------------

(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 City - State - Zip -
15. LOCATION OF PROJECT Latitude: °N Longitude: °W	
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
-------------------------------	-------------------------------	-------------------------------

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
--------	----------------	-----------------------	--------------	---------------	-------------

* 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.

**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.



REPLY TO
ATTENTION OF

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

January 19, 2011



Planning, Programs, and Project Management Division

Kadrmass, Lee and Jackson
Attention: Erik Gilbertson
P.O. Box 9767
Fargo, North Dakota 58106

COPY

Dear Mr. Gilbertson:

The U.S. Army Corps of Engineers, Omaha District (Corps) has reviewed your letter dated January 11, 2011, regarding the proposed relocation of portions of the City of Minnewaukan, ND to a higher elevation due to the increasing water elevation of Devil's Lake. The Corps offers the following comments:

Since the proposed project does not appear to be located within Corps owned or operated lands, we are providing no floodplain or flood risk information. To determine if the proposed project may impact areas designated as a Federal Emergency Management Agency special flood hazard area, please consult the following floodplain management office:

North Dakota State Water Commission
Attention: Jeff Klein
900 East Boulevard Avenue
Bismarck, North Dakota 58505-0850
jjkein@nd.gov
T-701-328-4898
F-701-328-3747

Your plans should be coordinated with the U.S. Environmental Protection Agency, which is currently involved in a program to protect groundwater resources. If you have not already done so, it is recommended you consult with the U.S. Fish and Wildlife Service and the North Dakota Game and Fish Department regarding fish and wildlife resources. In addition, the North Dakota State Historic Preservation Office should be contacted for information and recommendations on potential cultural resources in the project area.

Any proposed placement of dredged or fill material into waters of the United States (including jurisdictional wetlands) requires Department of the Army authorization under Section 404 of the Clean Water Act. You can visit the Omaha District's Regulatory website for permit applications and related information. Please review the information on the provided website (<https://www.nwo.usace.army.mil/html/od-r/district.htm>) to determine if this project requires a 404 permit. For a detailed review of permit requirements, preliminary and final project plans should be sent to:

COPY

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 "Randal P. Sellers". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Randal P. Sellers
Acting Chief, Environmental Resources and Missouri
River Recovery Program Plan Formulation Section



REPLY TO
ATTENTION OF

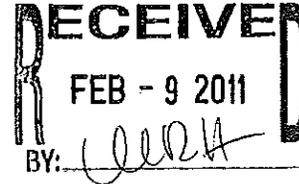
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVENUE
OMAHA NE 68102-4901

COPY

January 25, 2011

Planning, Programs, and Project Management Division

Mr. Erik Gilbertson
Kadmas, Lee, & Jackson Inc.
3203 32nd Avenue South, Suite 201
PO Box 9767
Fargo, North Dakota 58106-9767



Dear Mr. Gilbertson:

The U.S. Army Corps of Engineers, Omaha District (Corps) has reviewed your letter dated January 11, 2011, regarding the Relocation Study for Minnewaukan, North Dakota. The Corps offers the following comments:

Although there are no Corps resources, projects, or property located within the proposed project area we are providing the comments listed below. However, please be aware that this project falls within the boundary of two district offices. The regulatory authority falls within the Omaha District's purview, while the Civil Works mission is within the St. Paul District. A copy of your letter has been forwarded to the St. Paul District office and they responded with no additional comments.

Your plans should be coordinated with the U.S. Environmental Protection Agency, which is currently involved in a program to protect groundwater resources. If you have not already done so, it is recommended you consult with the U.S. Fish and Wildlife Service and the North Dakota Game and Fish Department regarding fish and wildlife resources. In addition, the North Dakota State Historic Preservation Office should be contacted for information and recommendations on potential cultural resources in the project area.

Since the proposed project does not appear to be located within Corps owned or operated lands we are providing no floodplain or flood risk information. To determine if the proposed project may impact areas designated as a Federal Emergency Management Agency special flood hazard area please consult the following floodplain management office.

North Dakota State Water Commission
Jeff Klein
900 East Boulevard Avenue
Bismarck, North Dakota 58505-0850
jjkein@nd.gov
T-701-328-4898
F-701-328-3747

COPY

-2-

If construction activities involve any work in waters of the United States, a Section 404 permit may be required. For a detailed review of permit requirements, preliminary and final project plans should be sent to:

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

In addition, please update your records with our current mailing address:

U.S. Army Corps of Engineers, Omaha District
Planning Division
Attention: CENWO-PM-AC
1616 Capitol Ave.
Omaha, Nebraska 68102-4901

If you have any questions, please contact Mr. Jonas Grundman of my staff at (402) 995-2195.

Sincerely,



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



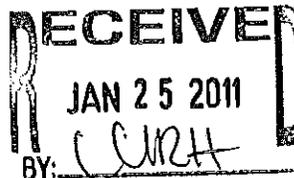
DEPARTMENT OF THE AIR FORCE
319TH CIVIL ENGINEER SQUADRON
GRAND FORKS AIR FORCE BASE, NORTH DAKOTA

COPY

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

JAN 24 2011

Kadrmass, Lee & Jackson, Inc.
Attn Erik Gilbertson, P.E.
3203 32nd Ave S, Ste 201
PO Box 9767
Fargo, ND 58106-9767



Dear Mr Gilbertson:

Your letter concerning a relocation study of the feasibility of relocating portions of the city of Minnewaukan 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,


DAVID D. MCCULLOUGH
Environmental Management Element Chief

COPY

U.S. Department of Homeland Security
Region VIII
Denver Federal Center, Building 710
P.O. Box 25267
Denver, CO 80225-0267

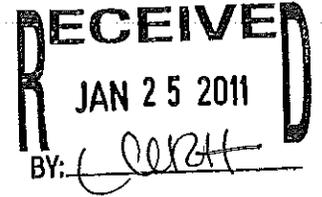


FEMA

R8-Div

January 20, 2011

Erik Gilbertson, P.E.
Kadrmas, Lee & Jacdson
3203 32nd Avenue South, Suite 201
PO Box 9767
Fargo, ND 58106-9767



Dear Mr. Gilbertson:

Thank you for your inquiry regarding your proposed project for the City of Minnewaukan regarding the relocation study. 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 you contact the local floodplain administrator Laura Weed at (701) 473-5735 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 black ink, appearing to be "Dave A. Kyner".

Dave A. Kyner
NFIP Program Specialist



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E.
Aberdeen, South Dakota 57401

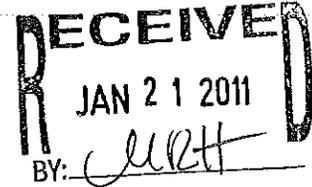


IN REPLY REFER TO:
DESCRM
MC-208

JAN 19 2011

Erik Gilbertson, P.E.
Kadmas Lee & Jackson
P.O. Box 9767
Fargo, North Dakota 58106-9767

COPY



Dear Mr. Gilbertson:

We received your letter regarding the Minnewaukan Relocation Impact Study in Benson County, North Dakota. We have considered the potential for both environmental damage and impacts to archaeological and Native American religious sites on lands held in trust by the Bureau of Indian Affairs, Great Plains Region. You should be aware, however, that Tribes or Tribal members may have lands in fee status near the site of interest. These lands would not necessarily be in our databases, and the Tribes should be contacted directly to ensure all concerns are recognized. The action considered has the following notification date and project location:

- January 11, 2011 Minnewaukan Relocation Impact Study
 NW ¼ of Section 9, T153N, R67W, Benson County, North Dakota

We have no environmental objections to this action as long as the project complies with all pertinent laws and regulations. Questions regarding environmental opinions and conditions can be addressed to Jeffrey R. Davis, Environmental Protection Specialist, at (605) 226-7656.

We also find that the listed action will not affect cultural resources on Tribal or individual landholdings for which we are responsible. Methodologies for the treatment of cultural resources now known or yet to be discovered – particularly human remains – must nevertheless utilize the best available science in accordance with provisions of the Native American Graves Protection and Repatriation Act, the Archaeological Resources Protection Act of 1979 (as amended), and all other pertinent legislation and implementing regulations. Archaeological concerns can be addressed to Dr. Carson N. Murdy, Regional Archaeologist, at (605) 226-7656.

Sincerely,

Alice A. Serwood

Deputy Regional Director – Indian Services

Kadrmass
Lee &
Jackson
Engineers Surveyors
Planners

January 11, 2011

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

RECEIVED
FEB 18 2011
BY: *WRH*

Dear Mr. Jeffrey Towner:

On behalf of the City of Minnewaukan, Kadrmass, Lee & Jackson, Inc. is preparing a relocation study. The study would provide preliminary planning for, and analyze the feasibility of, relocating portions of the city of Minnewaukan onto a 76.9-acre site approximately two miles northwest of its existing location. The proposed site is located in the NW¼ of Section 9, Township 153 North, Range 67 West. **Please refer to the enclosed project location map.**

COPY

The proposed action being studied would consist of relocating portions of the city of Minnewaukan to a higher elevation due to the increasing water elevation of Devils Lake. The purpose of the study is to detail the relocation of the city and layout of the zoning, public utility and roadway infrastructure in new Minnewaukan, as well as updating the infrastructure in the original Minnewaukan. Infrastructure in the original Minnewaukan would be updated to remain functional as the lake rises to the overflow elevation. In addition, the study would provide a preliminary assessment of the affected environment on the proposed relocation site. At this time, there is no federal involvement in the relocation study. If the project moves forward and federal funding and/or approvals are required, the proposed action would be subject to the National Environmental Policy Act of 1969, as amended and other applicable regulations.

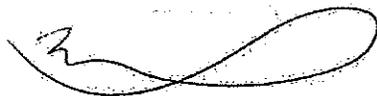
We are interested in existing or proposed developments you may have within or near the proposed relocation site that should be considered in the study. We also ask your assistance in identifying any property or resources that you own, manage, oversee, or otherwise value that might be adversely impacted by the relocation of the city.

Please provide your comments by **January 25, 2011**. We request your comments by that date to ensure that we will have ample time to review them and incorporate them into the relocation study.

If you would like further information regarding this project, please contact Trish McQuoid, Mayor of Minnewaukan, at (701) 473-5735 or myself at (701) 845-9439. Thank you for your cooperation.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Erik Gilbertson, P.E.

Enclosure (Map)

701 232 5353
3203 32nd Ave S, Ste 201
PO Box 9767
Fargo, ND 58106-9767
Fax 701 232 5354
kljeng.com
Kadrmass, Lee & Jackson, Inc.
A KLJ Solutions Company

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.**

245-11
Date *Jeffrey K. Towner*
Jeffrey K. Towner
Field Supervisor



ND Department of Emergency Services

PO Box 5511

Tel: (701) 328-8100

Email: nddes@nd.gov

Bismarck, ND 58506-5511

Fax: (701) 328-8181

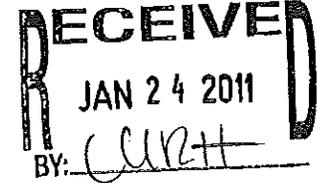
Website: www.nd.gov/des

Ensuring a safe and secure homeland for all North Dakotans

COPY

January 18, 2011

Mr. Erik Gilbertson, PE
Kadmas Lee & Jackson
3203 32nd Ave S, Ste 201
PO Box 9767
Fargo, ND 58106-9767



Re: City of Minnewaukan Study

Dear Mr. Gilbertson:

Thank you for your letter dated January 12, 2011, requesting comments on the proposed action being studied for the City of Minnewaukan.

The North Dakota Department of Emergency Services, Division of Homeland Security has no comments on the proposed project. Once federal involvement provides projects the proposed actions would be subject to NEPA regulations.

Should you have any additional questions, I may be contacted at 701 328-8100.

Sincerely,

Lonnie G. Hoffer
Disaster Recovery Chief
Department of Emergency Services
Division of Homeland Security

Jack Dalrymple
Governor

Major General David Sprynczynatyk
Director - Department of Emergency Services

Greg M. Wilz
Director - Division of Homeland Security

Mike Lynk
Director - Division of State Radio

Kadrmass

Lee &

Jackson

Engineers Surveyors
Planners

January 11, 2011

Mr. Lonnie Hoffer
Disaster Recovery Chief
Department of Homeland Security
ND Department of Emergency Services
PO Box 5511
Bismarck, ND 58506

Dear Mr. Lonnie Hoffer:

On behalf of the City of Minnewaukan, Kadrmass, Lee & Jackson, Inc. is preparing a relocation study. The study would provide preliminary planning for, and analyze the feasibility of, relocating portions of the city of Minnewaukan onto a 76.9-acre site approximately two miles northwest of its existing location. The proposed site is located in the NW¼ of Section 9, Township 153 North, Range 67 West. ***Please refer to the enclosed project location map.***

The proposed action being studied would consist of relocating portions of the city of Minnewaukan to a higher elevation due to the increasing water elevation of Devils Lake. The purpose of the study is to detail the relocation of the city and layout of the zoning, public utility and roadway infrastructure in new Minnewaukan, as well as updating the infrastructure in the original Minnewaukan. Infrastructure in the original Minnewaukan would be updated to remain functional as the lake rises to the overflow elevation. In addition, the study would provide a preliminary assessment of the affected environment on the proposed relocation site. At this time, there is no federal involvement in the relocation study. If the project moves forward and federal funding and/or approvals are required, the proposed action would be subject to the National Environmental Policy Act of 1969, as amended and other applicable regulations.

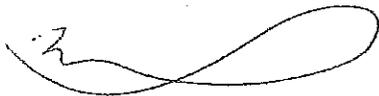
We are interested in existing or proposed developments you may have within or near the proposed relocation site that should be considered in the study. We also ask your assistance in identifying any property or resources that you own, manage, oversee, or otherwise value that might be adversely impacted by the relocation of the city.

Please provide your comments by **January 25, 2011**. We request your comments by that date to ensure that we will have ample time to review them and incorporate them into the relocation study.

If you would like further information regarding this project, please contact Trish McQuoid, Mayor of Minnewaukan, at (701) 473-5735 or myself at (701) 845-9439. Thank you for your cooperation.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Erik Gilbertson, P.E.

Enclosure (Map)

RECEIVED

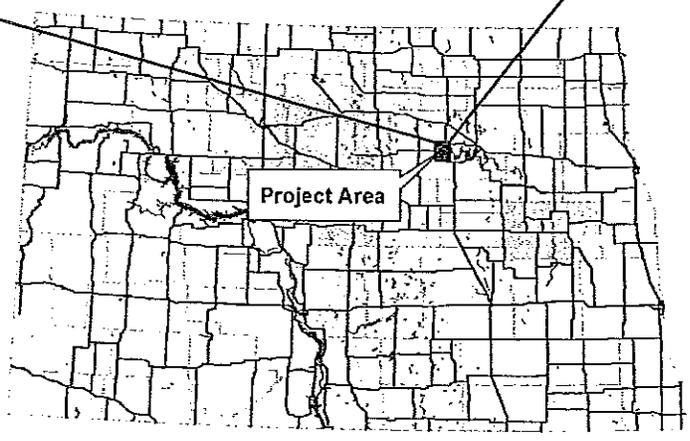
JAN 12 2011

NORTH DAKOTA
DEPT OF EMERGENCY SERVICES

701 232 5353
3203 32nd Ave S, Ste 201
PO Box 9767
Fargo, ND 58106-9767
Fax 701 232 5354
kljeng.com
Kadrmass, Lee & Jackson, Inc.
A KLJ Solutions Company



*Minnewaukan
Relocation Impact Study
Benson County, North Dakota*





NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



January 14, 2011

Mr. Erik Gilbertson, P.E.
Kadmas, Lee & Jackson, Inc.
P.O. Box 9767
Fargo, ND 58106-9767

COPY

RECEIVED
JAN 25 2011
BY: WLRH

Re: City of Minnewaukan Relocation Study, Benson County

Dear Mr. Gilbertson:

This department has reviewed the information concerning the above-referenced project submitted under date of January 11, 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. 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.
2. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). 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.

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.

Mr. Erik Gilbertson

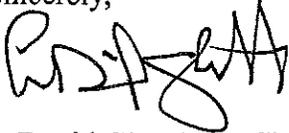
2.

January 14, 2011

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,

A handwritten signature in black ink, appearing to read "L. David Glatt". The signature is stylized and somewhat cursive.

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.

COPY

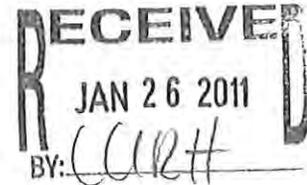


John Hoeven, Governor
Mark A. Zimmerman, Director

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

January 24, 2011

Erik Gilbertson
Kadmas, Lee & Jackson
PO Box 9767
Fargo, ND 58106-9767



Re: Relocating Portions of the city of Minnewaukan

Dear Mr. Gilbertson:

The North Dakota Parks and Recreation Department has reviewed the above referenced project proposal submitted on behalf of City of Minnewaukan and Kadmas, Lee and Jackson to relocate portions of the city of Minnewaukan to a site Section 9, T153N, R67W, Benson County.

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

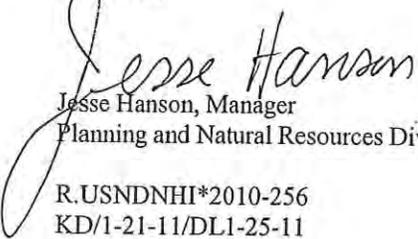
The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review,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

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

Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

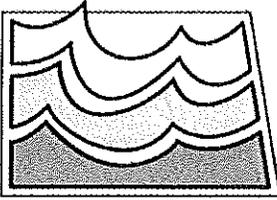
Thank you for the opportunity to comment on this project. Please contact Kathy Duttonhefner (701-328-5370 or kgduttonhefner@nd.gov) of our staff if additional information is needed.

Sincerely,


Jesse Hanson, Manager
Planning and Natural Resources Division

R.USNDNHI*2010-256
KD/1-21-11/DL1-25-11

.....
Play in our backyard!



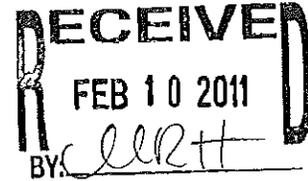
North Dakota State Water Commission

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

February 8, 2011

Erik Gilbertson
Kadrmass, Lee and Jackson
PO Box 9767
Fargo, ND 58106

COPY



Dear Mr. Gilbertson:

This is in response to your request for review of environmental impacts associated with the relocating portions of the city of Minnewaukan onto a 76.9-acre site – located in the NW1/4 of Section 9, Township 153 North, Range 67 West.

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

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

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

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

Sincerely,

Larry Knudtson
Research Analyst

LJK:dp/1570



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

RECEIVED
JAN 17 2011
BY: CLW/H

Jack Dalrymple
Governor of North Dakota

January 13, 2011

North Dakota
State Historical Board

Mr. Erik Gilbertson, P.E.
KLJ
3203 32nd Ave South, Suite 201
PO Box 9767
Fargo ND 58106-9767

Chester E. Nelson, Jr.
Bismarck - President

ND SHPO REF.: 11-0130 Multiple Agency project – Relocating portions of the City of Minnewaukan onto a 76.9-acre site approximately two miles of present location [T153N R67W Sections 9 and 15] Benson County, North Dakota

Gerold Gerntholz
Valley City - Vice President

Richard Kloubec
Fargo - Secretary

Albert I. Berger
Grand Forks

Dear Mr. Gilbertson,

Calvin Grinnell
New Town

We reviewed your preliminary information regarding the relocation of portions of the City of Minnewaukan and associated utility work. We recommend the following cultural resource work be accomplished before any ground work and before any buildings are moved or otherwise affected:

Diane K. Larson
Bismarck

A. Ruric Todd III
Jamestown

- A Class III (pedestrian) archaeological survey of the entire APE (Area of Potential Effect) of the new town site, including utility lines and any access road work.
- A Class III (pedestrian) architectural history survey of the present City of Minnewaukan to update existing architectural site forms and make recommendations regarding any historic district. Additional historic archaeology work at the existing town site may also be required as the project develops.

Sara Otte Coleman
Director
Tourism Division

Kelly Schmidt
State Treasurer

Alvin A. Jaeger
Secretary of State

Thank you for the opportunity to review this project. If you have any questions please contact Susan Quinnell at (701)328-3576 or squinnell@nd.gov

Mark A. Zimmerman
Director
Parks and Recreation Department

Francis Ziegler
Director
Department of Transportation

Sincerely,

Merlan E. Paaverud, Jr.
Director

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

Accredited by the
American Association
of Museums since 1986



RECEIVED
JAN 28 2011
BY: CCRH

January 26, 2011

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

COPY

RE: Project No. City of Minnewaukan

Dear Mr. Gilbertson,

Midcontinent Communications is following up with the letter dated January 11, 2011 from your office on the above mention project. Midcontinent does have existing cable facilities within the scope of the project. In addition, we have Head-end facilities on the south end of town near the cell phone tower site. **The cost to the City of Minnewaukan, ND is \$1,700,000.00** to relocate our facilities 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 include building new underground facilities at the new location of Minnewaukan, ND and keeping the existing facilities operable 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 to eliminate the cost of relocating our Head-end facility at the south end of Old Minnewaukan. In addition, 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 listed below. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Mohr".

Steve Mohr, RCDD
410 S. Phillips Ave
Sioux Falls, SD 57104
CELL 605-201-1471
OFF. 605-274-2988
steve_mohr@mmi.net



Over Fifty Years of Service

Steve Mohr, RCDD
Construction Project Manager

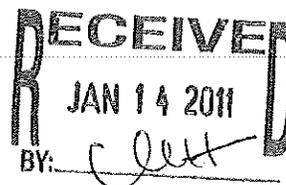
410 South Phillips Avenue
Sioux Falls, SD 57104
605/274-2988
Cell: 605/201-1471
Fax: 605/357-5796
steve_mohr@mmi.net
www.midcocomm.com



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

Jan. 13, 2011



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

RE Minnewaukan

Erik,

Enclosed is a map showing North Dakota Telephone Company's facilities at the possible Minnewaukan relocation site. The only cable we have in the area is in the highway R/W on the east side, this cable could be moved or re-routed if necessary.

Should this project proceed, we would be able to provide facilities to the new area.

Feel free to call me with any questions.

Sincerely,

Terry Thompson
Outside Plant Engineering Supervisor
NDTC

Terry Thompson
Network Engineering Supervisor
Direct: 701-662-6482
Fax: 701-662-6446
Cell: 701-230-1020
terryt@ndtel.com



211 22nd Street NW, PO Box 180
Devils Lake, ND 58301
Office: 701-662-1100 Toll Free: 800-880-4213
www.goNDTC.com

**CC: Nick Anderson on ALL project return letters (as per Erik Gilbertson)

5

4

6149
462

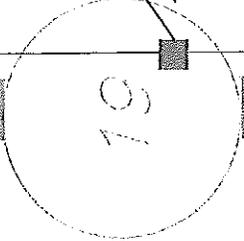
250'

100'

475

8173'

9124'3



1244'

100-4

L-100
BFC50-22(09)
451-495

9

4738'

WEST BAY
TOWNSHIP
T153/R67

L-100
BFC50-22(09)
451-495

2009
BG32-25-88

8