ENVIRONMENTAL ASSESSMENT

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Project No.	**PCN**
SS-7-804(053)900	20788

Williston Northeast Truck Reliever Route
Williams County

Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
BISMARCK, NORTH DAKOTA

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23 USC § 409
NDDOT Reserves All Objections

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January 2020

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Williston Northeast Truck Reliever Route

WILLIAMS COUNTY, NORTH DAKOTA

Project No. 7-804(053)900, PCN 20788

Submitted Pursuant to 42 U.S.C. 4332(2)(c) and 49 U.S.C. 303

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FHWA Engineering & Operations Team Supervisor

2/12/20
Date

Table of Contents

1.0 PURPOSE AND NEED 1-1

1.1 Description of the Proposed Action 1-1
1.2 Project Background Information 1-1
1.3 Need for the Project 1-3
1.3.1 Capacity and Operation 1-3
1.3.2 Access Management 1-4
1.3.3 System Linkage 1-4
1.3.4 Transportation Demand 1-5
1.4 Purpose of the Project 1-5

2.0 ALTERNATIVES 2-1

2.1 Development of Alternatives 2-1
2.2 Description of Proposed Alternatives 2-5
2.2.1 Alternative A – No Build 2-7
2.2.2 Alternative D 2-9
2.2.3 Alternative G 2-9
2.2.4 Alternative H 2-9
2.3 Alternatives Discussed But Discarded from Further Analysis 2-13
2.3.1 Alternative B 2-13
2.3.2 Alternative C 2-13
2.3.3 Alternative E 2-13
2.3.4 Alternative F 2-14

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES .. 3-1

3.1 Land Use 3-1
3.1.1 No Build Alternative 3-4
3.1.2 Build Alternatives 3-4
3.2 Section 4(f) 3-5
3.2.1 No Build Alternative 3-6
3.2.2 Build Alternatives 3-6
3.3 Farmland 3-7
3.3.1 No Build Alternative 3-7
3.3.2 Build Alternatives 3-7
3.4 Vegetation/Land Cover Types 3-8
3.4.1 No Build Alternative 3-9
3.4.2 Build Alternatives 3-9
3.5 Floodplains 3-10
3.5.1 No Build Alternative 3-10
3.5.2 Build Alternatives 3-10
3.6 Social, Economic and Environmental Justice 3-11
3.6.1 No Build Alternative 3-12
3.6.2 Build Alternatives 3-12
3.7 Public Services and Infrastructure 3-13
3.7.1 No Build Alternative 3-13
3.7.2 Build Alternatives 3-13
3.8 Air Quality 3-14
3.8.1 No Build Alternative 3-14
3.8.2 Build Alternatives 3-14

3.9 Noise 3-15
3.9.1 No Build Alternative 3-18
3.9.2 Build Alternatives 3-18
3.10 Water Quality 3-22
3.10.1 No Build Alternative 3-23
3.10.2 Build Alternatives 3-23
3.11 Wetlands and Other Waters of the U.S. 3-24
3.11.1 No Build Alternative 3-24
3.11.2 Build Alternatives 3-25
3.12 Waterbody Modification, Fisheries, Aquatic Nuisance Species, and Wildlife 3-26
3.12.1 No Build Alternative 3-29
3.12.2 Build Alternatives 3-29
3.13 Threatened and Endangered Species 3-30
3.13.1 No Build Alternative 3-32
3.13.2 Build Alternatives 3-32
3.14 Cultural Resources 3-34
3.14.1 No Build Alternative 3-36
3.14.2 Build Alternatives 3-36
3.15 Regulated Materials 3-36
3.15.1 No Build Alternative 3-36
3.15.2 Build Alternatives 3-36
3.16 Visual Impacts and Aesthetics 3-37
3.16.1 No Build Alternative 3-37
3.16.2 Build Alternatives 3-37
3.17 Energy 3-38
3.17.1 No Build Alternative 3-39
3.17.2 Build Alternatives 3-39
3.18 Construction 3-39
3.18.1 No Build Alternative 3-40
3.18.2 Build Alternatives 3-40
3.19 Impact Categories Not Relevant to proposed action 3-41
3.19.1 Pedestrians and Bicyclists 3-41
3.19.2 Wild and Scenic Rivers 3-41
3.19.3 Coastal Barriers 3-41
3.19.4 Coastal Zone 3-41
3.19.5 Relocations 3-41
3.19.6 Section 6(f) 3-41
3.20 Cumulative Impacts 3-42
3.20.1 Actions 3-42
3.20.2 Potential for Cumulative Effects 3-45
3.21 Irreversible and Irretrievable Commitment of Resources 3-48
3.22 Summary 3-49

4.0 PUBLIC INVOLVEMENT AND CONSULTATION 4-1

4.1 Agency and Tribal Consultation 4-1
4.1.1 Tribal Consultation 4-1
4.1.2 Solicitation of Views Letters 4-1
4.2 Environmental Commitments and Permitting 4-2
4.2.1 Permits Required 4-2

4.2.2 Environmental Commitments 4-2
4.3 Public Involvement 4-5
4.3.1 Public Input Meeting #1, June 25, 2015 4-5
4.3.2 Public Input Meeting #2, November 15, 2016 4-5
4.3.3 County and City Meetings, September 2017 4-5

5.0 USACE SECTION 408 REVIEW 5-1

5.1 Compliance with Environmental Regulations 5-6

6.0 LIST OF PREPARERS 6-1

6.1 Preparers and Qualifications 6-1

7.0 LIST OF ACRONYMS AND ABBREVIATIONS 7-1

8.0 REFERENCES 8-1

TABLES

Table 1-1: Existing and Projected Traffic Volumes 1-4
Table 2-1: Summary of Proposed Alternatives 2-5
Table 3-1: Land Acquisition, Easements and Agreements 3-5
Table 3-2: Prime Farmland Impacts 3-8
Table 3-3: Noxious Weeds Listed for Williams County, North Dakota 3-9
Table 3-4: Primary Land Cover Impacts 3-10
Table 3-5: Demographics and Income of the City of Williston and Williams County 3-11
Table 3-6: Noise Abatement Criteria (23 CFR 772) 3-16
Table 3-7: Alternative D Sound Levels 3-19
Table 3-8: Alternative G Sound Levels 3-20
Table 3-9: Alternative H Sound Levels 3-21
Table 3-10: Sound Levels at Alternative H - Site 19 3-22
Table 3-11: Wetland and Other Waters Impact Summary 3-25
Table 3-12: Waterbody Crossing Structures 3-26
Table 3-13: Threatened and Endangered Species Effect Determinations 3-32
Table 3-14: Types of Cultural Resources Sites 3-35
Table 3-15: Comparison of Impacts 3-49
Table 4-1: List of Permits Needed 4-2
Table 4-2: Summary of Environmental Commitments 4-2
Table 5-1: Impacts to Authorized Purposes of the Garrison Dam/Lake Sakakawea Project 5-2
Table 5-2: Significance of Potential Impacts of Build Alternatives on Human and Environmental Resources 5-3
Table 6-1: List of Preparers and/or Agency Technical Support 6-1

FIGURES

Figure 1: Project Location Map 1-2
Figure 2: Alternatives 2-4
Figure 3: Typical Section – Four-Lane Roadway 2-6
Figure 4: Alternative A 2-8

Figure 5: Alternative D 2-10
Figure 6: Alternative G 2-11
Figure 7: Alternative H 2-12
Figure 8: Alternatives Considered But Discarded From Further Analysis 2-15
Figure 9: Zoning Map 3-3
Figure 10: Noise Receiver and Receptor Sites 3-17
Figure 11: Waterbody Crossings 3-28
Figure 12: Projects in the Williston Area Considered for Potential Cumulative Impacts 3-43

ILLUSTRATIONS

Illustration 1: Alternatives Development Process 2-3

APPENDICES

A Alternatives Screening Analysis
B Preferred Alternative Documentation
C Section 4(f) Documentation
D NRCS Farmland Conversion Impact Rating Form NRCS-CPA-106
E Wetland Impacts, USACE Jurisdictional Determination, and Conceptual Mitigation Plan
F Documentation Pertaining to Section 7 of the ESA
G Section 106 Compliance
H Solicitation of Views
I Solicitation of Views Comment Responses
J Public Input Meeting Information and Public Comments
K North Dakota Department of Health General Environmental Incident Summaries

APPENDED BY REFERENCE

- NDDOT Decision Document – PCN 20788 Williston Northeast Truck Reliever Route, September 2015
- Noise Analysis Report – PCN 20788 Williston Northeast Truck Reliever Route, May 2016
- Addendum to the Noise Analysis Report – PCN 20788 Williston Northeast Truck Reliever Route, June 2016
- Addendum 2 to the Noise Analysis Report – PCN 20788 Williston Northeast Truck Reliever Route, September 2018
- Field and Office Wetland Delineation Report – PCN 20788 Williston Northeast Truck Reliever Route, September 2016
- Field Wetland Delineation Report Addendum – PCN 20788 Williston Northeast Truck Reliever Route, August 2017
- FHWA/NDDOT Programmatic Biological Assessment Project Approval Package and US Fish and Wildlife Service Concurrence Letter – PCN 20788 Williston Northeast Truck Reliever Route, February 2018
- Williston Northeast Truck Reliever Route Survey: A Class III Intensive Cultural Resources Inventory in Williams County, North Dakota, August 2017 (BCA 2017)
- NDDOT Memorandum: SS-7-804(053)900 – Williston NE Truck Reliever Route Pavement Design Recommendation, April 23, 2015
- NDDOT Decision Document – PCN 20788 Williston Northeast Truck Reliever Route, October 2017

Table of Contents (Cont.)

- Williams County Comprehensive Plan 2035, December 2012
- Williston Infrastructure Guide 2019
- Williston 2015-2016 Capital Improvements Plan, August 2016 (Williston, City of, North Dakota 2016)
- Williston Impact Statement 2014
- TransAction III – North Dakota's Strategic Transportation Plan 2012, November 2012 (NDDOT 2012)

1.0 Purpose and Need

The North Dakota Department of Transportation (NDDOT) and the Federal Highway Administration (FHWA) are preparing an Environmental Assessment (EA) with the United State Army Corps of Engineers (USACE) as a cooperating agency to identify and evaluate potential environmental, economic and social impacts of a new roadway project northeast of Williston, North Dakota (ND) (i.e., the proposed action). The EA is an informational document and a decision-making tool used as a vehicle by both decision-makers and the public to attain a determination of the outcome of the proposed action or whether an Environmental Impact Statement (EIS) is required.

The EA was prepared in accordance with 23 Code of Federal Regulations (CFR) 771 and 33 CFR 230, which set forth the requirements of FHWA for implementing the National Environmental Policy Act (NEPA) of 1969, as amended, and the regulations of the Council on Environmental Quality (CEQ), 40 CFR parts 1500 through 1508. According to 40 CFR 1506.5, an EA may be prepared by an applicant (i.e., NDDOT), in which case the lead agency (FHWA) independently evaluates and verifies the information and analysis undertaken in the EA and takes full responsibility for the scope and content contained within. Additionally, 40 CFR 1506.3(a) allows a cooperating agency (USACE) to adopt a NEPA document prepared by the lead federal agency (FHWA). The USACE would independently evaluate and verify information and analysis undertaken in the EA and would take full responsibility for the scope and content contained herein. The USACE would adopt this document and issue their own NEPA decision document at the end of the process.

1.1 DESCRIPTION OF THE PROPOSED ACTION

NDDOT is proposing a permanent truck reliever route (TRR) from ND 1804 on the east side of the City of Williston (City) to US Highway (US) 2/85 on the north side of the City (project). Please refer to **Figure 1**. The TRR will be designed as a high-speed roadway with limited access and is anticipated to include new roadway design, alignment, and the construction of a new and reconstructed roadway. The project would include right-of-way (ROW) acquisition to accommodate a four-lane roadway, structure improvements, new structures, removal of existing structures, utility modifications, and drainage improvements, including culverts and ditches, as needed. Additional details for the Build Alternative are provided in **Section 2.2**.

1.2 PROJECT BACKGROUND INFORMATION

The proposed project is located east and north of the City, in Williams County, ND. The project area, depicted in **Figure 1,** was identified as the region with the greatest potential for efficient connection between the project termini for the evaluation of alternatives. The termini were determined with consideration of the existing transportation system, including the northwest (NW) TRR (identified on **Figure 1**), and proximity to existing land use and planned growth areas of the City and County.

The project area is comprised of mainly glaciated plains and erosion plateaus to the east and Missouri River drainage basin along the Little Muddy Creek to the west. General land use includes areas of open grassland, agricultural land, and various dispersed wetlands and waterways. Development in the project area includes rural homesteads, new homesteads, new subdivisions, oil well sites, and recreational areas. The Burlington Northern Santa Fe (BNSF) railroad and several existing and planned utility corridors cross the project area. Primary roads through the project area are County Road (CR) 9, CR 6, and ND 1804.

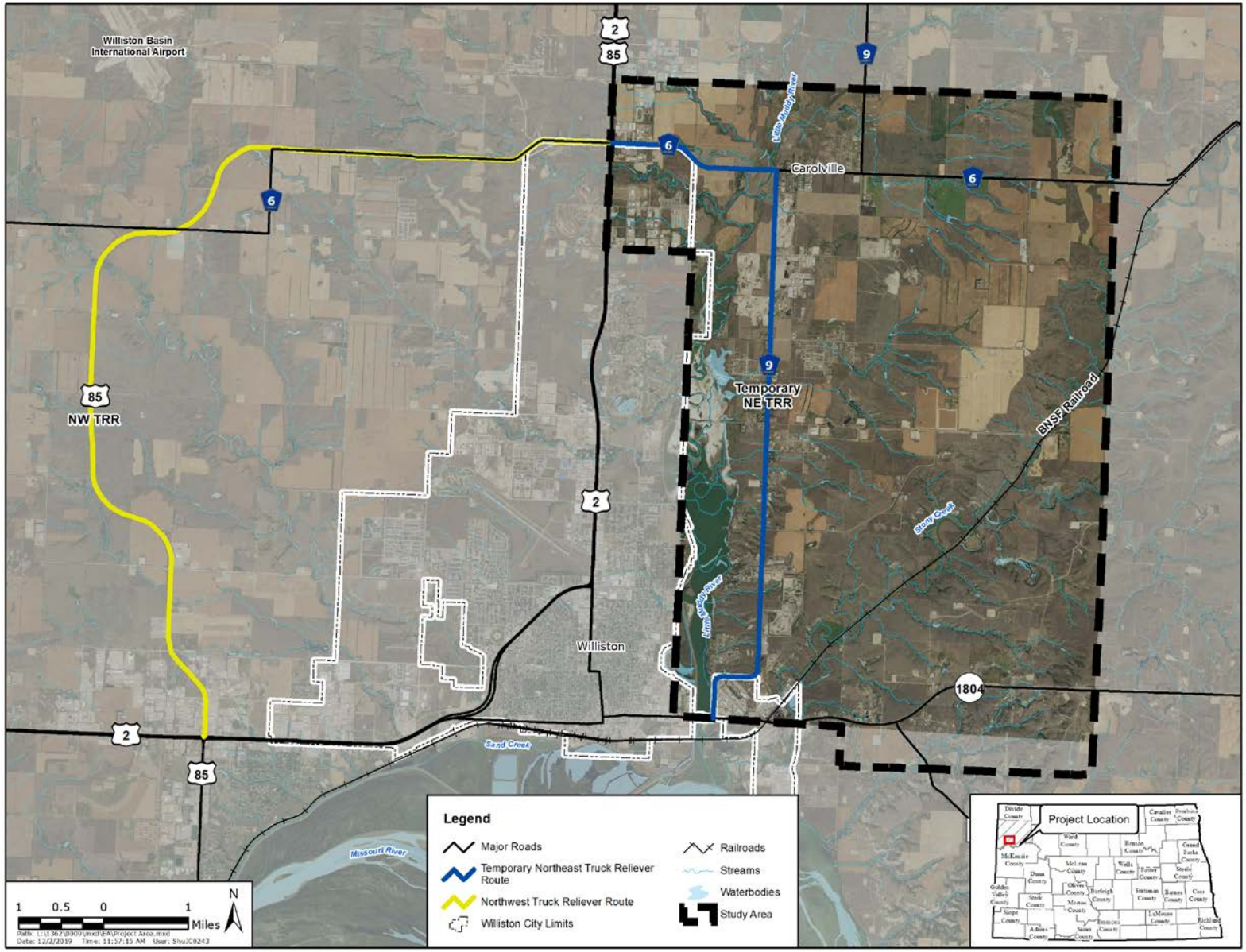


Figure 1: Project Location Map

1.3 NEED FOR THE PROJECT

Williston is a regional center for oil and gas development, and recent increases in oil and gas activities have resulted in a rise in commercial truck traffic and influx of people to the region. The population of the City tripled between 2004 and 2014, and continues to grow at a steady rate compared to the national average (Williston, City of, North Dakota 2014). This growth has influenced traffic in the area and has caused increased congestion due to haul trucks and associated oil and gas-related vehicles within the City and the surrounding region (Williston, City of, North Dakota 2010). Increased utilization of regional transportation infrastructure has resulted in increased distress to road surfaces (NDDOT 2019) and more than double in reported traffic collisions between 2010 to 2014 (NDDOT 2016a). While the initial increase in heavy/articulated truck traffic has diminished recently, due to the slowdown in oil production, oil-related traffic is predicted to remain high for the County and region (Williams County, North Dakota 2012).

The City has expressed the need to reduce pass-through traffic, heavy truck traffic, and trucks carrying hazardous materials through the developed areas of town (**Appendix J** for City of Williston letter dated July 9, 2015). The recent completion of the Williston NW TRR (US 85) around the NW side of Williston enables trucks to travel around the west side of the City, avoiding potentially congested City streets. However, eastbound traffic coming from the north would still need to either drive through Williston or use the NW TRR and then drive east on US 2/ND 1804, which was designed for urban business traffic and not large amounts of heavy truck traffic. The US 2/ND 1804 urban corridor has higher collision rates than the rural, four-lane divided highway east of Williston (NDDOT 2016b, NDDOT 2016c). Increasing heavy truck traffic on the US 2/ND 1804 urban corridor will likely result in higher collision rates.

Improvements to the highway system, including the east side of the City, are needed to address concerns about roadway maintenance, traffic safety, and traffic congestion within the developed areas of the City.

1.3.1 Capacity and Operation

Although new oil and gas development has recently slowed in the Williston area, existing facilities are continuing to operate, and may begin to develop new well pads as market conditions warrant. New well pads would include construction, access roads, utility lines, and well pad-related facilities that would increase truck traffic in the area. There is also residential and commercial development, including Knife River Corporation and other businesses, in and near the Williston city limits that brings more people and vehicles to the area. These factors resulted in the initial need for a temporary TRR to alleviate truck traffic through the central part of Williston and provide an eastern alternative travel route for vehicles to navigate in and around the Williston area.

The existing CR 6 and CR 9 were designated as the temporary northeast (NE) TRR (**Figure 1**). Based on the design standards for permanent TRRs, the current temporary NE TRR corridor has operational deficiencies that prevent it from functioning as a permanent TRR. These operational deficiencies include:

- High access density, approximately 13.6 accesses per mile on CR 9 and 9.3 accesses per mile on CR 6;
- Limited to no roadway shoulders and limited corridor width;
- Concrete cannot be successfully overlaid onto the existing asphalt, causing maintenance issues and not meeting permanent TRR design standards;
- Steep slopes, limiting highway speeds and resulting in visual impairment, as well as create roadway design complications and expense; and

- Numerous residences and businesses would require relocation due to access control and the need for a wider corridor.

Additionally, a permanent NE TRR is needed to serve the current and projected traffic and system capacity needs. **Table 1-1** shows the existing and projected Average Annual Daily Traffic (AADT) from the NE TRR Traffic Operations Report (Ulteig 2016). Existing traffic data from 2014 was used as a benchmark for the volume of traffic associated with the oil and gas industry. This traffic is variable and can increase or decrease depending on the level of activity occurring in the oil and gas industry. Projected AADT indicates traffic volumes are anticipated to increase from 4,995 to approximately 7,800 on the temporary NE TRR.

Table 1-1: Existing and Projected Traffic Volumes

Vehicle Type	Existing AADT (2014) Temporary NE TRR	Projected AADT (2040) Temporary NE TRR
Passenger	3,346	5,226
Trucks	1,649	2,574
Total	**4,995**	**7,800**

Source: Williston NE TRR Traffic Operations Report, 2016

1.3.2 Access Management

The number of intersections and access points along a roadway greatly affects the functionality of the transportation system. More road access points generally equate to less mobility and as a result, a higher number of crashes. The temporary NE TRR does not meet the access management criteria of one access per mile and thus does not provide adequate access control for a permanent TRR. Along corridors where there is not adequate access control, efficiency and safety are often compromised. The FHWA has documented a strong relationship between the number of access points per mile and crash rates (Williston-Williams County 2017). As the number of access points increases, so does the crash rate. On a two-lane roadway, for example, the volume of crashes doubles when the number of access points is increased from 10 to 30 per mile. Therefore, it is important to manage access for all roadways, especially principal and minor arterial roadways and collectors within the Williston area (Williston-Williams County 2017).

1.3.3 System Linkage

The main transportation corridors for regional and local traffic in the Williston area are US 2, US 85, and ND 1804. ND Highway 1804 provides a vital connection to some of the area's largest cultural resources and tourist attractions, namely Fort Union Trading Post National Historic Site, Fort Buford State Historic Site, and the Missouri-Yellowstone Confluence Interpretive Center (Williams County, North Dakota 2017). The temporary NE TRR is the main travel route for vehicles on the east side of the City. However, this temporary NE TRR does not meet design standards to serve as a long-term solution and permanent travel corridor for system linkage. The proposed project would provide a permanent connection between ND 1804, on the east side of the city, to US 2, at the intersection with the NW TRR (US 85) (**Figure 1**) while meeting design standards for a TRR.

1.3.4 Transportation Demand

Long-range planning by government agencies and public input have identified transportation demand and current and anticipated transportation system needs. Plans include the Williams County Comprehensive Plan 2035 (Williams County, North Dakota. 2012), Williston Infrastructure Guide 2019 (Williston, City of, North Dakota 2019), Williston 2015-2016 Capital Improvements Plan (Williston, City of, North Dakota 2016), Williston Impact Statement 2014 (Williston, City of, North Dakota 2014), TransAction III – North Dakota's Strategic Transportation Plan 2012 (NDDOT 2012), and the Williston-Williams County Regional Transportation Plan 2017 (Williston-Williams County. 2017). These plans identify the need for increased capacity for the current transportation system.

1.4 PURPOSE OF THE PROJECT

The purpose of the proposed project is to reduce traffic, especially large commercial trucks, in the developed portions of the City. The NE TRR would enhance the transportation system in the Williston area, as identified by long-range planning processes, by creating a continuous and permanent TRR around the north and eastern side of Williston that meets the criteria for a TRR (e.g., high speed limited access roadway) with the capacity to accommodate existing and future traffic demand.

2.0 Alternatives

This chapter provides information on the alternatives that were developed and evaluated for the project. The alternatives were developed based on the project purpose and need as defined in **Chapter 1**.

2.1 DEVELOPMENT OF ALTERNATIVES

Ongoing planning efforts in the Williston area identified a need for a TRR, as discussed in **Chapter 1**. This planning resulted in the evaluation of alternatives to improve transportation in the project area. The alternatives were developed to meet current NDDOT design standards/guidelines for the facility type and to improve the operational characteristics of the transportation network. Alternatives were evaluated to ensure each met the purpose and need of the proposed project and were a feasible project. **Illustration 1** presents the steps in the Alternatives Development Process, which occurred over months of meetings and discussions and evaluations, modifications, and refinements of alternatives. This process is summarized as follows:

- Conceptual Routes – October 2014
  - Preliminary information related to engineering and environmental factors was used to identify conceptual routes and a No Build Alternative.
  - Preliminary surveying information was used to refine the conceptual routes further to avoid areas with numerous cultural resource sites or other environmental concerns.
- Public Input Meeting and NDDOT Management Presentation – June 2015
  - Conceptual routes were discussed at two separate meetings (Public Input and NDDOT) held in June 2015 (**Appendix J**), leading to the preliminary alternatives screening matrix.
- Decision Document – September 2015
  - Alternative routes were further evaluated and refined using the alternatives screening analysis (**Appendix A**).
  - NDDOT worked with FHWA, City of Williston and Williams County to identify Alternative B (purple), Alternative C (red), Alternative D (blue), Alternative E (green), and Alternative F (yellow) as potential build alternatives, which were summarized in a NDDOT Decision Document - PCN 20788 Williston NE TRR, September 2015 (appended by reference).
- NDDOT/City/County Route Informal Discussions – October 2016
  - Additional coordination occurred between the NDDOT, USACE, and local governments during team meetings, resulting in an additional build alternative, Alternative G (cyan) (**Figure 2**), in May 2016.
  - A comparison analysis was done, including additional information discussions, which narrowed the build alternatives down to Alternative D and Alternative G.
- Alternative H (black) Added – December 2016
  - A public input meeting was held in November 2016, resulting in consideration of a modified Alternative C route.
  - In December 2016, informal discussions between NDDOT, the City, and the County led to the evaluation of the feasibility of modifying Alternative C, which was later renamed Alternative H (black).
  - This led to a total of three build alternatives to be evaluated in the EA.
- Preferred Route Concurrence – October 2017
  - In September 2017, the City and County each held their regularly scheduled meetings at which the project was discussed with attention given to choosing

a preferred alternative. These meetings were open to the public and legally noticed for public information.

- In October 2017, after additional analysis, evaluation, and discussions among NDDOT, the City of Williston, and Williams County, Alternative H was identified as the preferred alternative (**Appendix B**).
- The NDDOT completed a Decision Document in October 2017 (appended by reference) identifying Alternative H as the preferred alternative for the project. However, it was agreed that analysis in the EA would cover all three build alternatives (D, G, and H) and the No Build Alternative.

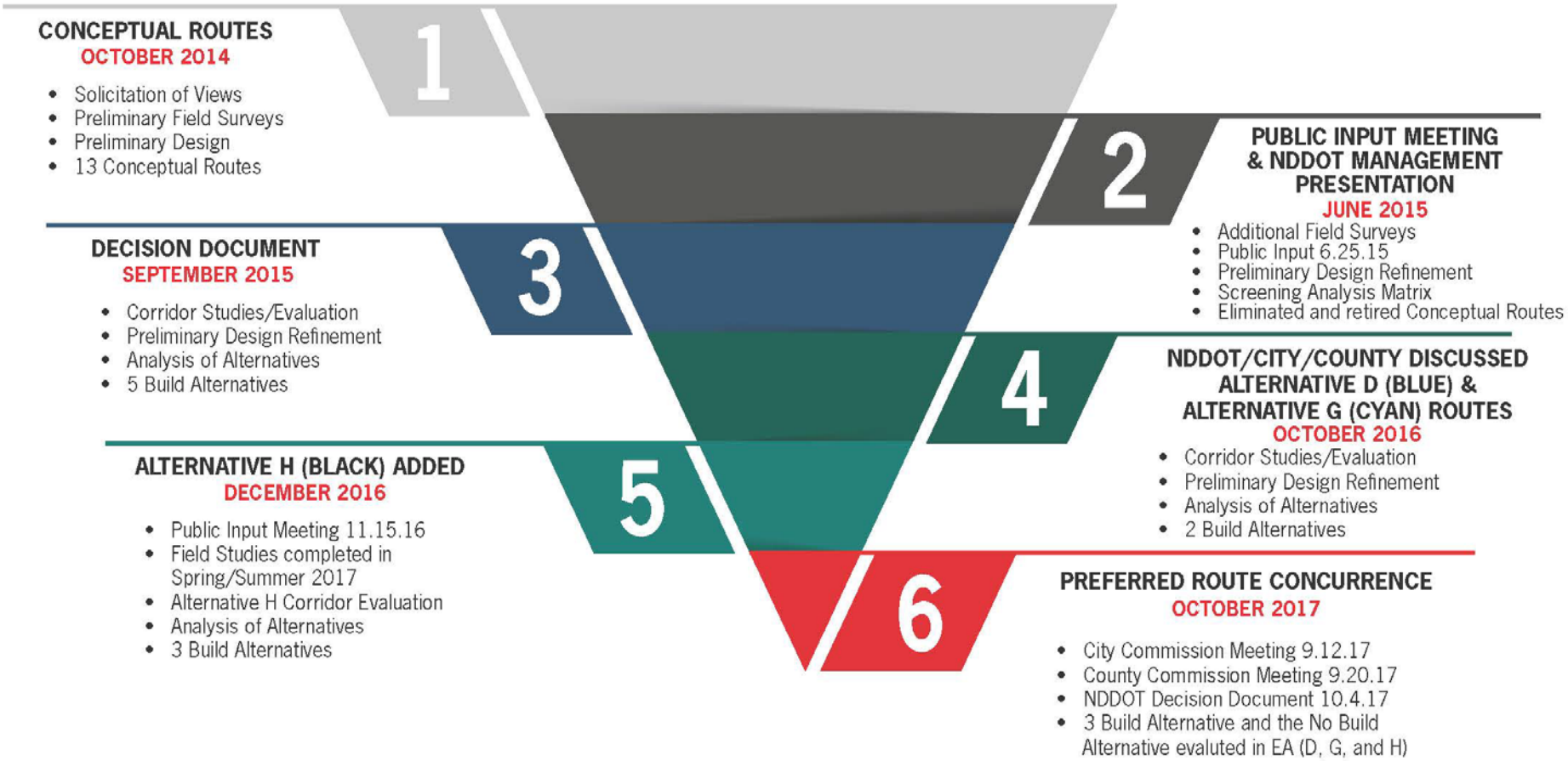


Illustration 1: Alternatives Development Process

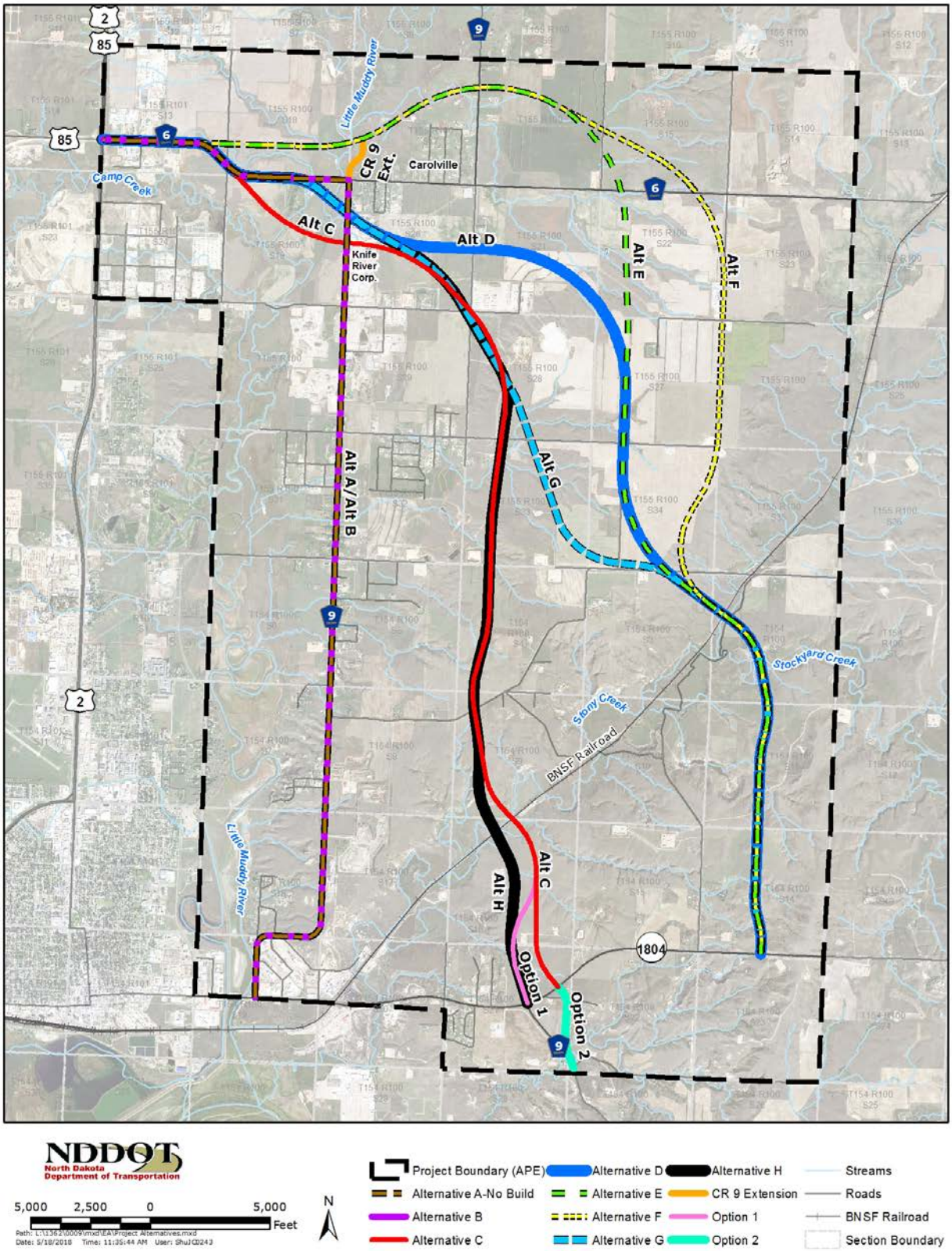


Figure 2: Alternatives

2.2 DESCRIPTION OF PROPOSED ALTERNATIVES

Analysis of the build alternatives and options resulted in identifying Alternatives D, G, H, and Alternative A – No Build for further analysis in this EA. **Table 2-1** summarizes the proposed alternatives carried forward for further evaluation in this EA, as illustrated in **Figure 2**. Alternative H (black) has been identified by the NDDOT and the local jurisdictions as the preferred alternative (**Appendix B**).

Table 2-1: Summary of Proposed Alternatives

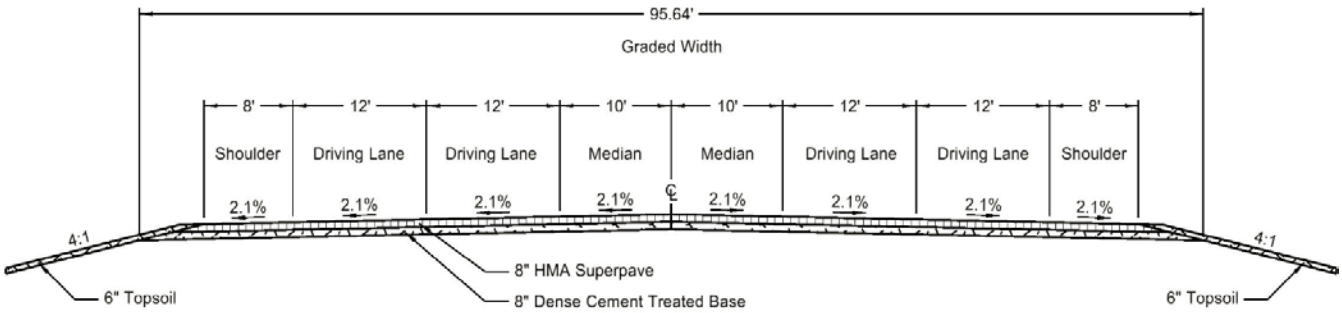
Alternatives	Length (Miles)	Estimated Project Cost[1]
Alternative A - No Build	8.7	No improvement costs, only maintenance costs.
Alternative D	9.7	$67.2 million
Alternative G	9.3	$66.9 million
Alternative H	9.0	$61.7 million

[1] Estimated project cost for construction in 2018. Estimate does not include ROW acquisition.

The proposed project would provide a permanent alternate route from ND 1804 on the east side of Williston to the intersection of US 2/85 on the north side of the City. The US 2/85 intersection has already been improved as part of the Williston US 85 project and does not require additional improvements to accommodate the proposed project. The proposed project would include roadway design elements, new alignment, site preparation, new construction, and reconstructed roadway.

<u>Design Elements</u>

- New four-lane roadway construction with controlled access designed to accommodate vehicles with typical highway speeds of 65 miles per hour (mph).
- To meet AASHTO standards, 12-foot (ft) wide travel lanes would be used. The finished roadway would consist of a 20-ft wide median, four 12-ft wide driving lanes, and two 8-ft shoulders with a maximum mainline vertical profile grade of 4 percent. Please refer to **Figure 3** showing the typical section and NDDOT Memorandum: SS-7-804(053)900 – Williston NE Truck Reliever Route Pavement Design Recommendation, April 23, 2015 (appended by reference).
- A new intersection at ND 1804 to connect the NE TRR. The intersection connection would require vehicles that desire to use the NE TRR to turn off the highway, while through traffic would have direct access to Williston.
- Access along the TRR corridor would be controlled with a goal of approximately one access point per side per mile.
- Waterbody crossings would be incorporated where needed; these crossings would be designed independently and for the specific needs of each crossing. A new crossing would be constructed in a new location over the Little Muddy River.
- Existing CR 6 bridge in Section 19 (Township 155, Range 100), crossing the Little Muddy River, would be demolished after the new roadway is opened and a section of pavement east to the intersection of CR 9 would be removed, and CR 6 would be reconnected to the NE TRR on the west side of Carolville.
- A grade-separated crossing would be required at the BNSF crossing.



*NDDOT pavement recommendation – April 23, 2015

Figure 3: Typical Section – Four-Lane Roadway

Alignment

- The alignment corridor would accommodate a four-lane roadway.
- New roadway alignment would run through primarily rural and largely undeveloped areas.
- ROW acquisition would accommodate a four-lane roadway, approximately 400 feet (ft) wide corridor (200 ft each side of the centerline of the paved median) (**Figure 3**), with additional width required in deep-cut/fill sections.

Site Preparation

- Construction would begin with the first work items: installation of traffic control and erosion control devices.
- The site would be cleared, grubbed, and have topsoil removed and stockpiled to begin excavation and embankment construction. Due to the length of the project (approximately 9 miles), site clearing may be done in stages as the work progresses.
- Staging areas, plant site, waste sites (coal or other), and materials such as aggregate or rock/riprap needed for project construction would be permitted through the NDDOT Material Source Approval process.
- A Storm Water Pollution Prevention Plan (SWPPP) and associated best management practices (BMPs) would be implemented throughout the project, which would reduce the temporary effects of construction to water quality.

Construction

- The project is not currently identified in the Statewide Transportation Improvement Program (STIP) and not currently programmed for construction.
- The construction start date is to be determined.
- New roadway construction would include grading, aggregate base, paved surface, bridge construction in accordance with NDDOT Design Guidelines, and drainage improvements.
- Excavation and embankment operations would begin early in construction. Culverts would be installed as necessary.
- After excavation and embankment operations are completed, the subgrade would be graded and compacted. The compacted would be surfaced/paved with an 8-inch dense cement-treated base and 8 inches of hot mix asphalt (HMA) (**Figure 3**).
- Provisions would be made for vehicles to cross the project during construction. No temporary bypasses would be required.
- Equipment for the work may include but is not limited to bulldozers, scrapers, motor graders, backhoes, trucks, asphalt pavers, and rollers. A crane would be used to accomplish the structural work involving bridges.
- Excavated coal would be disposed of within the NDDOT right-of-way, outside the roadway surface and cut/fill slope, and would have two feet of compacted soil and six inches of

topsoil placed over it. Other waste material would be disposed of in accordance with state and federal laws and in a manner that avoids impacts to waterbodies and riparian areas.

2.2.1 Alternative A – No Build

The No Build Alternative (Alternative A) is currently the temporary NE TRR. This route follows the existing footprint of CR 9 from the intersection of ND 1804 to the intersection of US 2/85 (**Figure 4**). The total length of Alternative A is approximately 8.7 miles. The roadway footprint would not change, and current maintenance practices also would remain the same. No improvements are currently planned for the No Build Alternative.

As currently designed, Alternative A does not meet the purpose and need of the project, as it does not meet the design criteria for a TRR. The No Build Alternative is included in the EA analysis to provide a baseline for comparison of the Build Alternatives and to meet the NEPA requirement to analyze the impacts of no action.

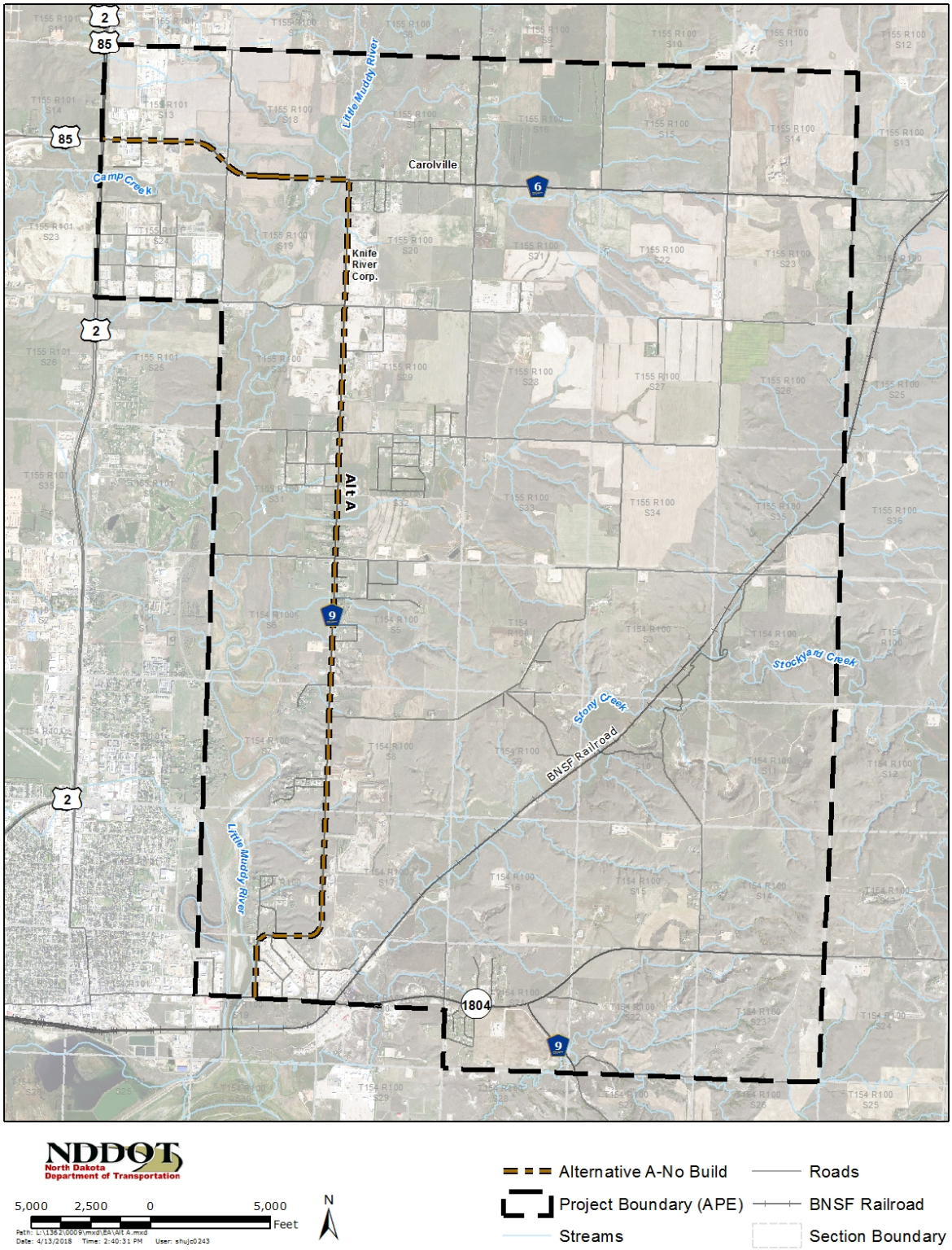


Figure 4: Alternative A

2.2.2 Alternative D

Alternative D, as shown on **Figure 5**, would run north from the connection at ND 1804 to a point south of Carolville, bisecting the Knife River Corporation property south of the CR 6/CR 9 intersection, and then continuing northwest across the Little Muddy River where a new bridge would be constructed. It would eventually connect with existing CR 6, ending at the intersection with US 2/85. Alternative D would be approximately 9.7 miles long and meets the purpose and need for the project. Access along the TRR corridor would be controlled with a goal of approximately one access point per side per mile. Existing businesses and residences would be provided access to the TRR, which would be determined during project design.

Alternatives D and G would have the same alignment at the connecting point to ND 1804. This connecting point would require additional lanes and an access road or recovery approach to be constructed south of the intersection at ND 1804. Eastbound ND 1804 would require the construction of a left turn lane, and westbound ND 1804 would require a right turn lane onto Alternative D. Southbound Alternative D would also have a straight-through lane along with right and left-turn lanes onto ND 1804.

The estimated cost of this alternative is approximately $67.2 million for construction and utility modifications (see **Section 3.7**) and does not include ROW.

2.2.3 Alternative G

Alternative G would have the same connection to ND 1804 as described for Alternative D. From the connection at ND 1804, Alternative G, as shown on **Figure 6**, would use a similar alignment as described for Alternative D with slight shifts in the midsection of the alignment. Alternative G would be approximately 9.3 miles long and would meet the purpose and need for the project. Access along the TRR corridor would be controlled with a goal of approximately one access point per side per mile. Existing businesses and residences would be provided access to the TRR, which would be determined during project design.

The estimated cost of this alternative is approximately $66.9 million for construction and utility modifications (see **Section 3.7**) and does not include ROW.

2.2.4 Alternative H

Alternative H would connect to ND 1804 at the intersection of ND 1804 and CR 9, as shown in **Figure 7**. From the connection at ND 1804, Alternative H would run north-northwest, bisecting the Knife River Corporation property south of the CR 6/CR 9 intersection, then continuing west across the Little Muddy River near CR 6 where a new bridge would be constructed. Alternative H would connect with existing CR 6, ending at the intersection with US 2/85. Alternative H would be approximately 9.0 miles long and would meet the purpose and need for the project. Access along the TRR corridor would be controlled with a goal of approximately one access point per side per mile. Existing businesses and residences would be provided access to the TRR, which would be determined during project design.

The estimated cost of this alternative is approximately $61.7 million for construction and utility modifications (see **Section 3.7**) and does not include ROW.

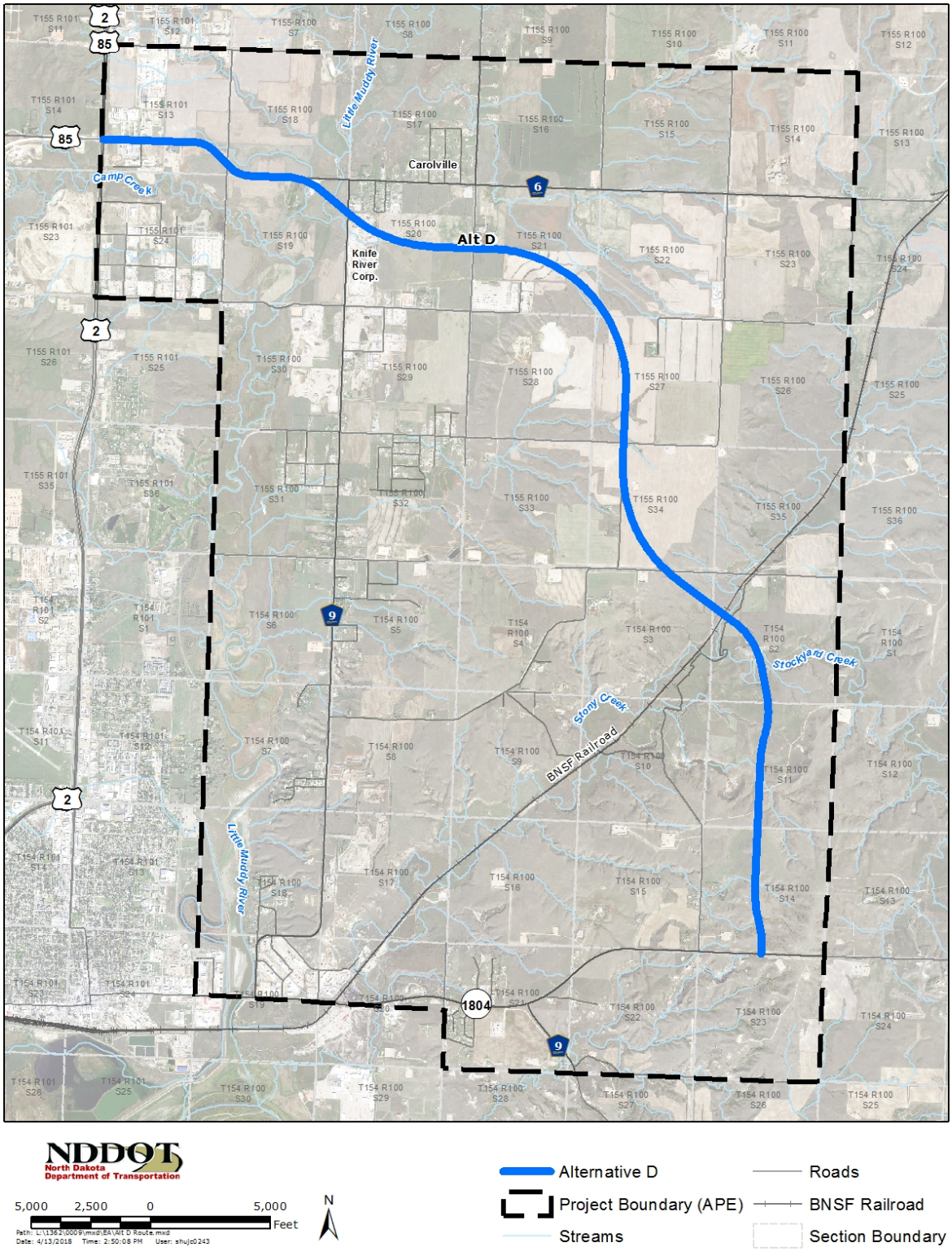


Figure 5: Alternative D

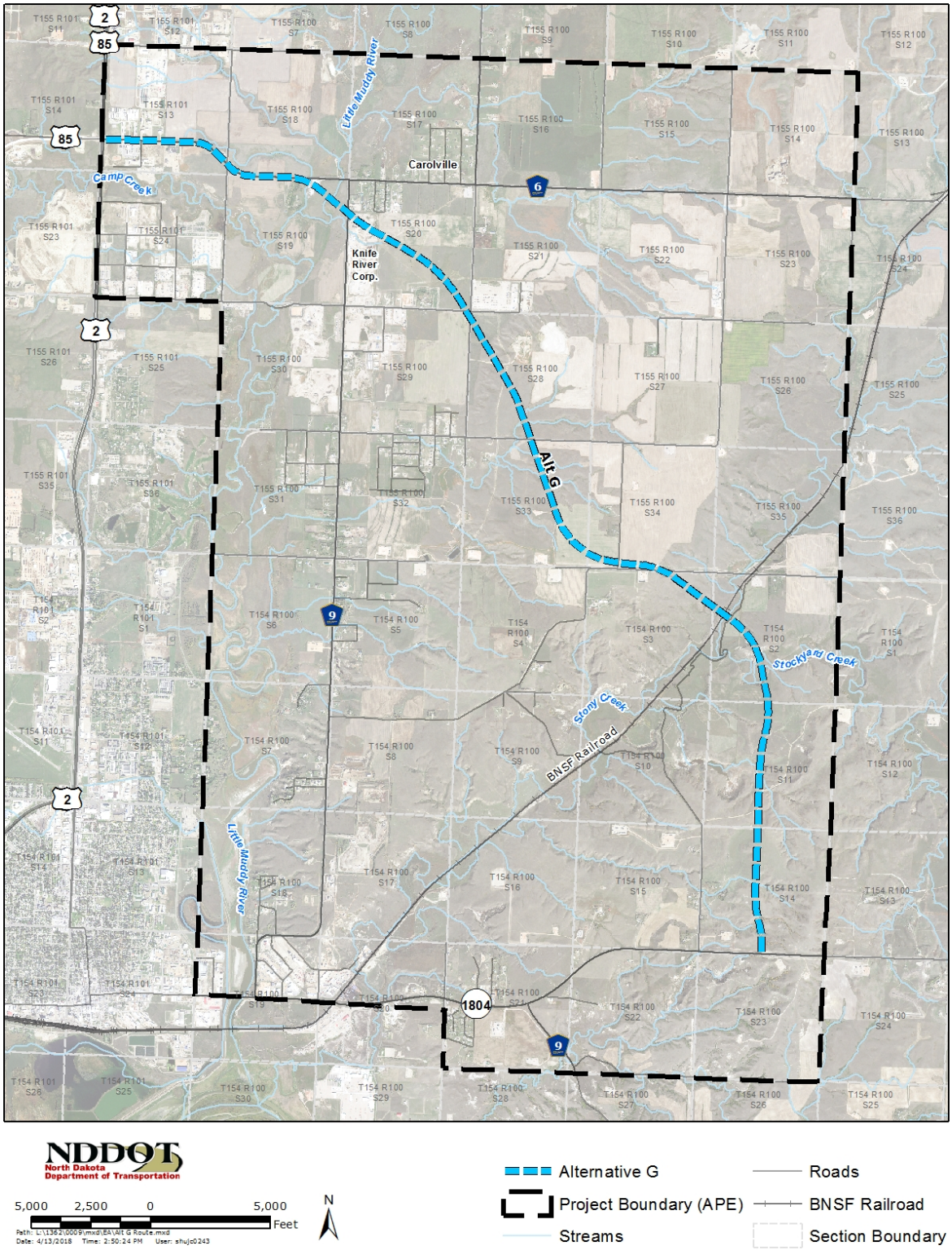


Figure 6: Alternative G

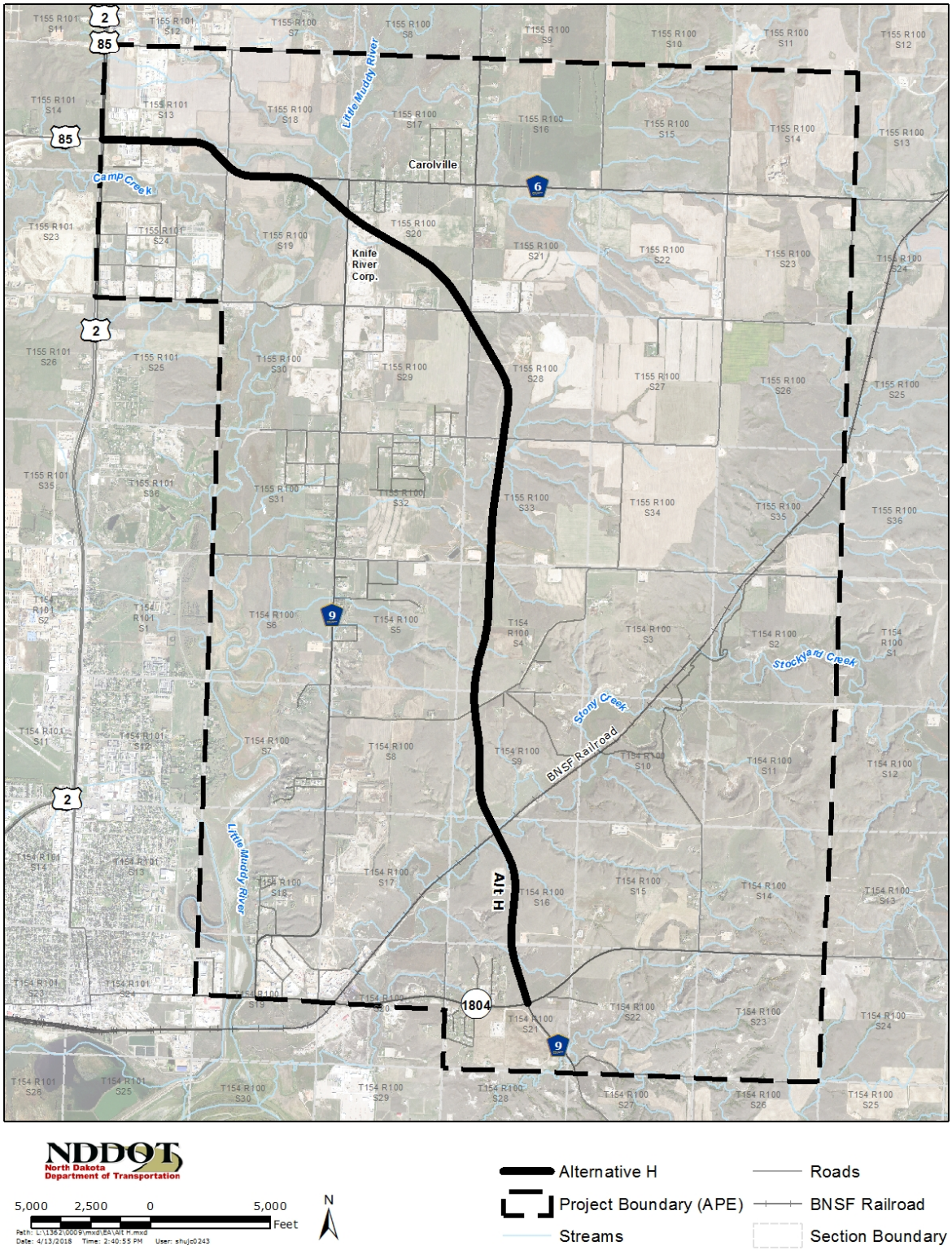


Figure 7: Alternative H

2.3 ALTERNATIVES DISCUSSED BUT DISCARDED FROM FURTHER ANALYSIS

The alternatives were evaluated based on the location of cultural resources, wetlands, steep slopes, existing infrastructure, and proximity to the development. Potential alternatives that would avoid USACE property were also considered. Alternatives should meet the purpose and need of the proposed project and be a feasible project. Each of the alternatives described below meets the purpose and need for the project. However, each of the alternatives was eliminated from further study in the EA due to a variety of issues and constraints that would make the alternative difficult or not feasible to construct. Other alternatives were evaluated in the alternatives screening process and determined to meet the purpose and need for the project, while also offering feasible and prudent alternatives to Alternatives B, C, E and F. For these reasons, Alternatives B, C, E and F were eliminated from further study in the EA.

2.3.1 Alternative B

Alternative B would follow the same route as Alternative A – No Build and includes design modifications and improvements (**Figure 8**). The total length of Alternative B is approximately 8.7 miles. Design modifications include roadway expansion and ROW acquisition to accommodate 12-ft wide travel lanes, frontage roads to control access, and other design requirements.

Alternative B was eliminated because it is not feasible to construct in the current CR 6/CR 9 corridor to meet TRR design criteria without significantly altering the corridor footprint. Alteration of the existing corridor would require the acquisition and displacement of an estimated 11 residences and three commercial properties to build frontage roads for access control. Corridor alteration would also be required for intersection development and roadway modification to meet highway speeds of 65 mph. Resources within and adjacent to the corridor that could be impacted also include USACE land (Section 4(f) property).

2.3.2 Alternative C

From the connection at ND 1804, Alternative C, as shown in **Figure 8**, runs north until it connects with CR 6 and continues west of the intersection with US 2/85. The total length of Alternative C is approximately 8.7 miles. Alternative C was eliminated from further study due to the numerous cultural resources that would be impacted along this route; thus, this alternative could only be used if there is no feasible and prudent alternative. As there are other feasible and prudent alternatives, this route was eliminated from further consideration. Due to the elimination of Alternative C, Alternative C – Option 1 and Alternative C – Option 2 were also eliminated as they were an extension or alternative connection for Alternative C.

2.3.3 Alternative E

Alternative E, as shown on **Figure 8**, would have the same connection point at ND 1804 and intersection and access road improvements as described for Alternative D. From ND 1804, Alternative E (using the same alignment as Alternatives D, F, and G) would run north-northwest, crossing the BNSF rail line and continuing north of Carolville. Alternative E would cross USACE land in Section 18 and continue west for approximately one mile, connecting to CR 6 and eventually terminating at the intersection with US 2/85. The total length of Alternative E is approximately 10.8 miles.

Alternative E was eliminated from further study because it would require crossing USACE land along the Little Muddy River, which is a Section 4(f) property. As discussed at the June 1, 2016, meeting with the USACE, NDDOT, and FHWA, this land is being designated as a

mitigation property under a Consent Decree by the Department of Justice, which eliminates the use of the property for development (**Appendix C**).

2.3.4 Alternative F

Alternative F, as shown in **Figure 8**, would use a similar intersection and alignment as Alternative E with a shift to the east in the midsection of the alignment. The total length of Alternative F is approximately 11.2 miles. Alternative F was eliminated for the same reasons as Alternative E.

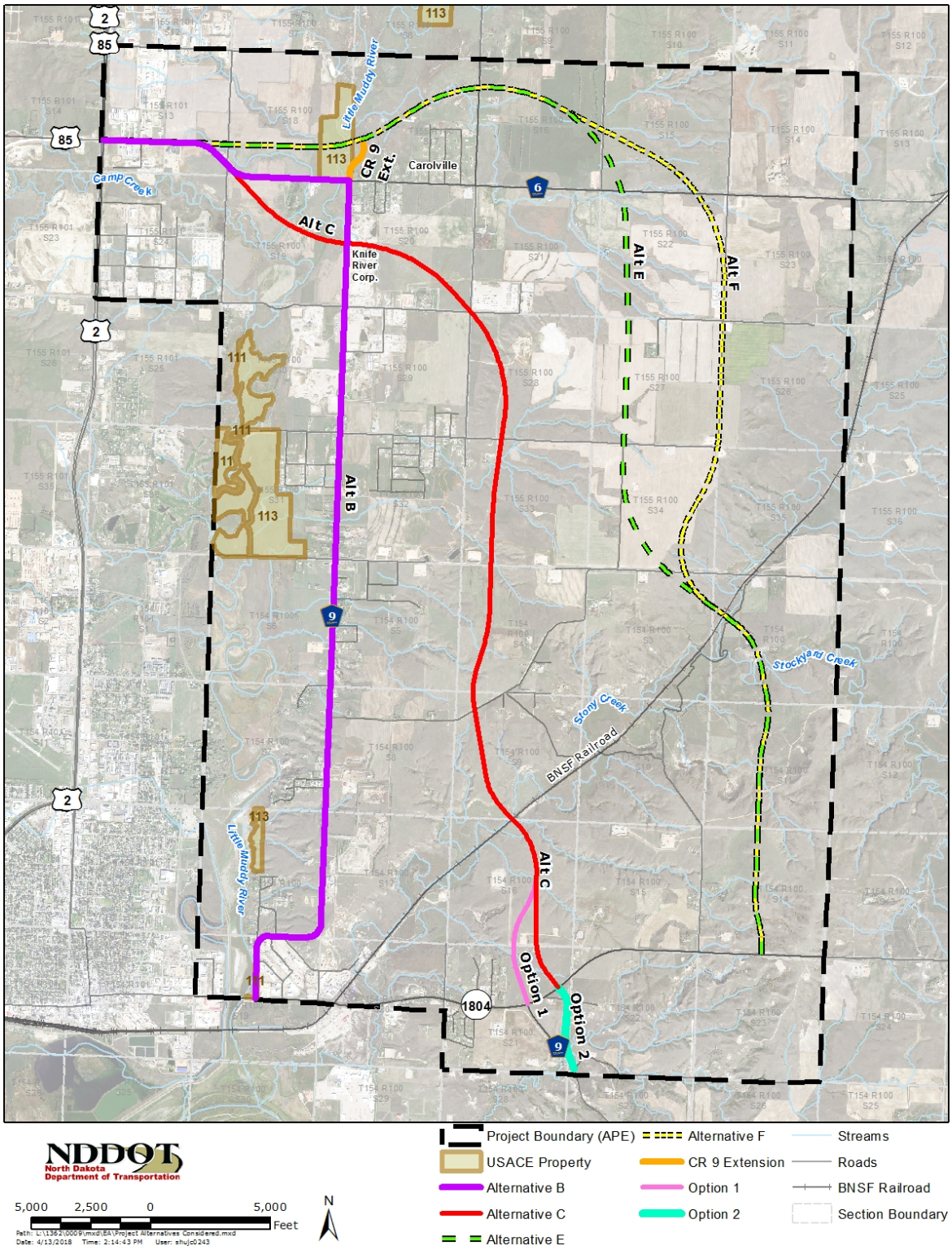


Figure 8: Alternatives Considered But Discarded From Further Analysis

3.0 Affected Environment and Environmental Consequences

The existing conditions (affected environment) in the project area are the baseline conditions that may be affected by the proposed project, as shown on **Figure 1**, while specific impacts have been quantified within each alternative alignment corridor (i.e., No Build Alternative and Alternatives D, G, and H). A 500-foot corridor was evaluated for the 400-foot ROW to allow for minor corridor changes during the final design. The environmental analysis was completed using field investigations, technical analyses, and available data and information. Field investigations for wetlands, cultural resources, wildlife and wildlife habitat, and noise were used to quantify impacts. This chapter is organized by resource topic and includes information regarding the affected environment, potential impacts on the existing environment, and avoidance, minimization, and mitigation measures for adverse impacts.

3.1 LAND USE

The majority of the project area consists of agricultural and undeveloped rural lands, with several areas of existing residential, public/recreation, commercial, and industrial land uses. The proposed project has the potential to affect several land uses, including private, public, industrial, and railroad properties.

Existing and future land use is driven by what plans and controls are in place, such as local planning and zoning, as well as what market conditions exist that may influence the type and location of development in each area. Comprehensive plans typically guide future development by outlining goals and public policies that are used to create and enforce zoning ordinances. Land use planning and zoning in the project area fall under the jurisdiction of both the City (Williston, City of, North Dakota 2003) and Williams County (Williams County, North Dakota 2012, 2015). In addition, the City has subdivision and zoning authority, and land use planning responsibility within the extraterritorial area (ETA), which extends one mile beyond the corporate City limits (**Figure 9**). To further assist in the development and land use of the area, Williams County and the City have an existing Intergovernmental Agreement in place (Williston, City of, North Dakota 2010). Zoning within the City Limits and the ETA is classified into commercial, industrial, mixed-use, public, and residential. Williams County administers zoning for the area beyond the City Limits to the east, which includes Stony Creek Township and Pherrin Township, where the land is primarily zoned agricultural. There are also several isolated areas zoned for residential, commercial, or industrial land uses in the project area under the jurisdiction of Williams County.

USACE Management Units

USACE owned lands within the project area include two Management Units (MU): MU 111 Little Muddy Agricultural Leases Wildlife Area (flowage easement and flood control) and MU 113 Little Muddy Agricultural Leases (recreation) (**Figure 9**). MU 113 is used for recreation purposes and leased by a private hunting club (i.e., Badlands Bird Dog Club). The USACE also owns several parcels west of CR 9 near the Little Muddy River that include MU 111 and MU 113. These areas are used for day-use, recreation, such as hunting, fishing, picnicking, walking, and public boating access at MU 113 near CR 6.

USACE Flowage Easement

The USACE has flowage easements (publicly-owned) for the Little Muddy River and Stony Creek for water flow to maintain the operation of the Garrison Project (Lake Sakakawea), which has a normal operating pool elevation of 1850 feet above mean sea level (AMSL). The USACE flowage easement (FF-2911-E) is established in the northern part of the project area (**Figure 9**). Lake Sakakawea was created by the impoundment of the Missouri River after the completion of the Garrison Dam. The *USACE Garrison Dam/Lake Sakakawea Master Plan with Integrated Programmatic Environmental Assessment (USACE 2012)* provides direction for the development and uses of these USACE lands. These regulations for land development activities occurring within reservoirs ensure that such activities do not compromise the reservoirs' ability to function as a flood control measure. The regulations apply to land under the USACE authority including flowage easements. To ensure the long-term flood storage capacity of the reservoir is not reduced as a result of the proposed project, USACE Northwestern Division Regulation No. 1110-2-5 establishes guidelines that require project engineers to balance cut and fill volumes occurring within USACE owned lands to ensure no net loss of reservoir storage capacity. The guidelines state that "for any fill volume, an equal or greater volume of cut must be removed at an elevation equal to or below the fill elevation but above the conservation pool elevation." The flowage easement requires written approval by the USACE for the construction of structures. It also does not allow mineral exploration, excavation or placement of fill material in the easement area without the prior approval of the USACE.

School Trust Lands

As shown in **Figure 9**, there are approximately 613 acres of School Trust Land owned by the State of North Dakota in the project area. Revenues generated from trust lands (i.e., surface acres and mineral acres) primarily benefit public schools and certain colleges and universities in North Dakota. The Department of North Dakota Trust Lands (NDTL) evaluates easement requests and issues the easement as appropriate.

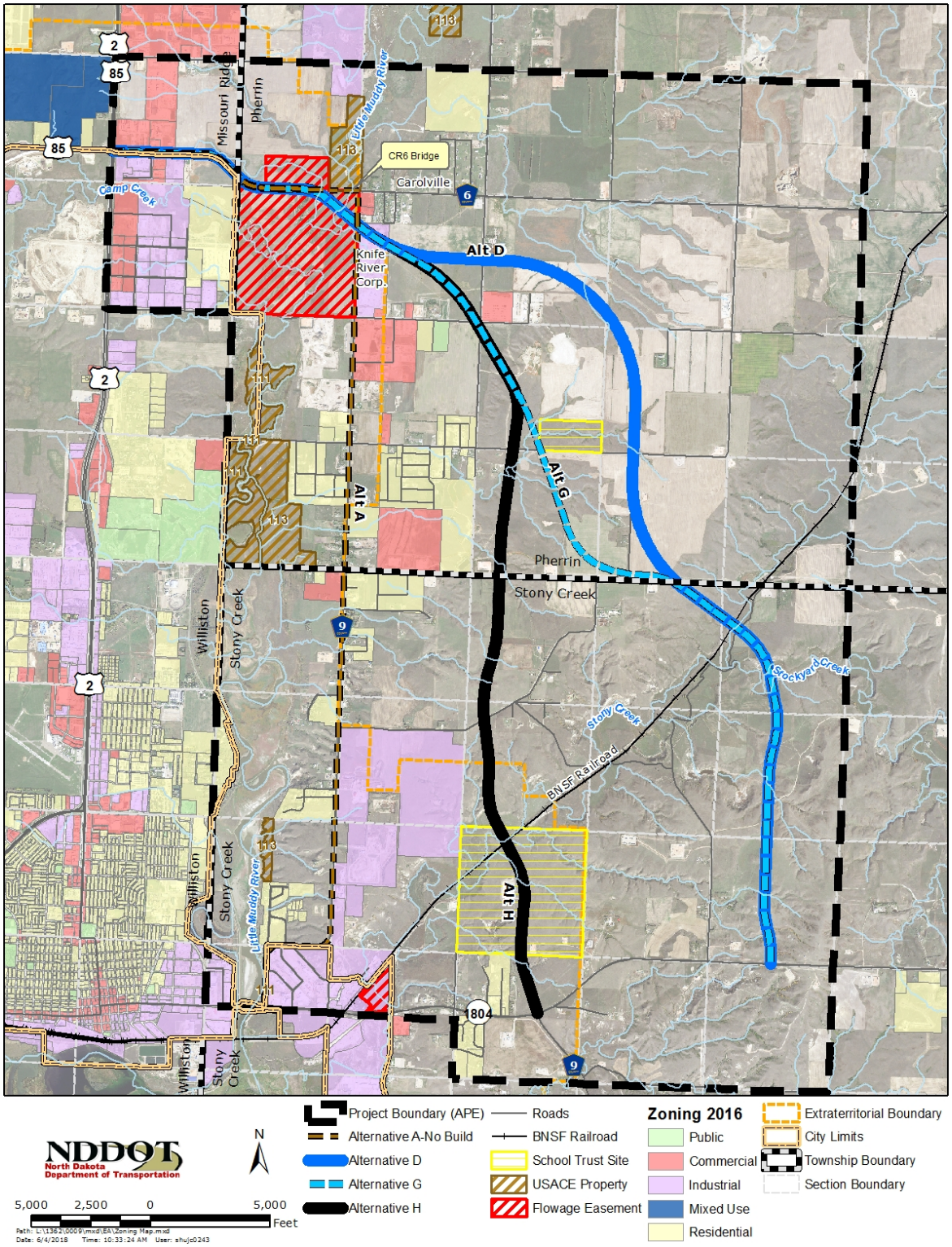


Figure 9: Zoning Map

3.1.1 No Build Alternative

Land use in the project area may continue to change depending on the demand for growth and development and what is planned for future growth in the respective comprehensive plans. Under the No Build Alternative, the land would not be converted to highway and related uses as part of a build alternative.

3.1.2 Build Alternatives

Private landowners own most of the land in the alternative corridors. Industrial property owned by the Knife River Corporation would be impacted by all three Build Alternatives (**Figure 2**) and would require ROW acquisition for construction. The Build Alternatives also would impact the BNSF Railroad by requiring a new crossing. This crossing would span over the railroad. An agreement with BNSF would be required for construction and maintenance. During project design options would be explored with the landowners to minimize potential impacts to their property and operations. **Table 3-1** (below) summarizes the total estimated land acquisition for each of the Build Alternatives. Right-of-way acquisitions for road projects involving federal aid must comply with all applicable federal and state laws, and rules and regulations including the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Act; UA), as amended by the Surface Transportation Assistance Act of 1987 and as codified in 49 CFR 24, effective April 1989.

The Build Alternatives would require a temporary construction license from the USACE due to temporary occupancy of the USACE flowage easement in Section 19 (T155 R100) on the Little Muddy River for construction of a new bridge and a temporary occupancy on MU 113, a Section 4(f) property (**Section 3.2**) for removal of the CR 6 bridge. Permanent fill would be placed within the Little Muddy River for the new bridge piers requiring cut/fill balancing and Section 408 permission from the USACE (USACE 2016). Navigation on the Little Muddy River may be temporarily impacted during the construction of the new bridge or removal of the CR 6 bridge but would not be permanently impacted by the Build Alternatives. The use of the Little Muddy River for recreation and navigation would not be permanently impacted. During construction of the piers within the Little Muddy River, fish and wildlife may experience temporary impacts. The piers are not anticipated to cause adverse impacts to habitat. A USACE Temporary Construction License and Section 408 permission would be required for project activities on USACE owned and easement property. There would be no impacts on the Garrison Dam, its operation, or the long-term flood storage capacity of the reservoir.

Waterbody crossings would occur within the project area and are discussed in **Section 3.12**. Some waterbody crossings may require a NDDOT Stream Diversion Special Provision. Construction BMPs would be used to prevent sediment, debris, and contaminants from entering project area waters. The NDDOT would require its contractor(s) to implement and monitor such BMPs to protect project area waters. MU 111 would not be impacted by the project. **Sections 3.10 – Water Quality** and **3.18 – Construction** provides additional detail on the removal and construction of the bridge.

Additional structures may be used to allow property owners to move cattle on their property. The NDDOT Cattle Pass Consideration (SFN 10155) may be required to further evaluate the needs of individual landowners once the project design is complete.

School Trust Lands would be permanently impacted by Alternatives G and H as the roadway would be constructed across these parcels. Land acquisition, easement, and agreements are summarized in **Table 3-1**. All acquisitions would be completed in conformance with the Uniform Act.

Table 3-1: Land Acquisition, Easements and Agreements

Acquisition Type		Alt D Acreage	Alt G Acreage	Alt H Acreage
Permanent Land Acquisition	Private Landowner	402	415	298
	Industrial	24	24	17
	School Trust Land	0	3	50
	TOTAL	**426**	**442**	**365**
Easements and Agreements		**Alt D Acreage**	**Alt G Acreage**	**Alt H Acreage**
Mitigation	Wetland Mitigation[1]	3.23	3.4	3.67
Other	USACE (license)[2]	29	29	29
	Railroad (agreement)[3]	5	5	2
	Utility (agreement)[4]	--	--	--

Note: Acreages are estimated based on preliminary design plans and are subject to change.
1 Wetland mitigation acreage reflects the total mitigation needed and would be achieved through multiple, smaller mitigation sites within the project corridor.
2 A temporary construction license would be required for grading and construction in the USACE flowage easement.
3 Agreement with BNSF would be required for the construction and maintenance of the structure.
4 Utility agreements would be established as needed to accommodate roadway construction. It is anticipated that the Build Alternative ROW corridor would accommodate utility needs.

The majority of private land in Alternatives D, G, and H are zoned agricultural. The City and County Comprehensive Plans identify a NE TRR as a long-range infrastructure. Local, state, and federal permits would be obtained for the construction of the project as further discussed in **Chapter 4**.

3.2 SECTION 4(F)

Section 4(f) of the United State Department of Transportation of 1966 was originally set forth in Title 49 United States Code (USC.). Section 4(f) requires consideration of:

- Parks and recreational areas of national, state, or local significance are both publicly-owned and open to the public (i.e., MU 111 and MU 113).
- Publicly-owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge. (https://www.environment.fhwa.dot.gov/4f/4fnationwideevals.asp)
- Historic sites of national, state, or local significance in public or private ownership regardless of whether they are open to the public (See 23 USC. § 138[a] and 49 USC. § 303[a]).
- Per 23 CFR 774, archaeological sites that are on or eligible for the NRHP and that warrant preservation in place are subject to Section 4(f).

There are parcels of land within the project area that are considered Section 4(f) property. These are owned by the USACE and are described in the Garrison Management Plan as MU 111 and MU 113. Both properties are primarily used for wildlife and recreational purposes (**Figure 9**). The land use on the flowage easement along the Little Muddy River is currently used for agricultural purposes, primarily pasture (**Figure 9**).

Section 4(f) requires FHWA and NDDOT to review the use of land on publicly-owned property or historic site(s), as described above, and evaluate alternatives to avoid or minimize harm to that property. FHWA determines, on a case-by-case basis, whether Section 4(f) applies to the property. Section 4(f) also applies to all historic sites that are listed or eligible for listing

on the National Register of Historic Places (NRHP) at the local, state or national level of significance regardless of if the historic site is publicly owned or open to the public.

To determine if impacts to Section 4(f) property would occur, the use of that property is evaluated. Use refers to an adverse impact to or occupancy of Section 4(f) property as defined in 23 CFR 774, including permanent incorporation, temporary occupancy, or constructive use.

3.2.1 No Build Alternative

The No Build Alternative would not result in impacts to MU 111 or MU 113 as construction and operation of a new roadway would not occur.

3.2.2 Build Alternatives

The Build Alternatives avoided, as feasible, use of or impact to Section 4(f) property. Within the project area, the avoidance of archaeological resources was a critical factor in the development and evaluation of alternatives. Historic and archaeological resources were avoided by the project alternatives; therefore, there are no impacts to these resources.

The Build Alternatives would not require permanent incorporation or constructive use of Section 4(f) property. Temporary occupancy for a portion of Section 4(f) property was evaluated for the flowage easements, MU 111, and MU 113. Land use associated with the flowage easements and USACE land in the project area would remain similar to current conditions (e.g., agriculture, recreation, and wildlife habitat). As discussed in **Section 3.1.2**, cut/fill balancing and Section 408 permission from the USACE would be required for the construction of a new bridge over the Little Muddy River. USACE MU 111 uses would not be impacted by the project.

Alternatives D, G, and H were evaluated to determine if a temporary occupancy would occur with the demolition of the existing CR 6 bridge and the removal of the unneeded portions of the existing CR 6 roadway. Access to USACE MU 113 picnic area and public water access would be maintained, including an approach to the Badlands Bird Dog Club. CR 6 bridge demolition activities would not inhibit the use of MU 113 but may cause temporary impacts to boaters that may want to navigate south on the Little Muddy River until demolition activities are complete. Bridge demolition may also cause temporary noise impacts and other construction impacts (**Section 3.18**) to recreation users. An approach to provide access to CR 6 through Carolville would also be established.

Following demolition and construction, the ground would be reclaimed to pre-development conditions. Based on FHWA Section 4(f) Policy, a temporary occupancy will not constitute a Section 4(f) use when all of the conditions listed in 23 CFR 774.13(d) are satisfied:

1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to Section 4(f) property are minimal;
3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;
4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Based on these criteria, constructing the Build Alternatives would result in a temporary occupancy that is so minimal as it would not constitute a use within the meaning of Section 4(f), and therefore, MU 113, a Section 4(f) property, would not be impacted by the project. The USACE concurred with this finding (**Appendix C**).

The USACE MU 113 property boundary extends to approximately the centerline of CR 6. Williams County would maintain ownership of the roadway corridor. However, ownership would be re-evaluated after the project goes through the design process. A USACE Temporary Construction License, an NDDOT Stream Diversion Special Provision, and Section 408 permission would be required for work on USACE property.

Construction BMPs would prevent sediment, debris, and contaminants from entering project area waters, including the Little Muddy River. The NDDOT would require its contractor(s) to implement and monitor such BMPs to protect project area waters.

3.3 FARMLAND

The Farmland Protection Policy Act (FPPA) is part of the Agriculture and Food Act of 1981 (7 CFR Part 658). The purpose of the FPPA is to minimize the conversion of lands classified as farmlands, including prime, unique, statewide important, and locally important to nonagricultural lands due to federally funded programs. The Code of Federal Regulation 7 CFR 657 defines farmland soil classifications as prime farmland, unique farmland, and farmland of statewide importance.

Federally funded corridor-type projects that could convert farmland to nonagricultural lands and that meet certain thresholds must complete Farmland Conversion Impact Rating for Corridor Type Projects form (NRCS-CPA-106) to evaluate if prime, unique, statewide important, or locally important farmland occurs within the project area. Farmlands identified within the project area are recorded and given a farmland conversion impact rating. This rating is used to work with a project proposer to determine avoidance actions.

A geographic information system (GIS) was used to conduct a soil analysis of the project area. The Williams County Soil Survey (USDA 2002) was used to determine the soil types within farmlands.

3.3.1 No Build Alternative

The No Build Alternative would not alter the existing footprint of this corridor and would not cause impacts to Prime and Unique Farmlands.

3.3.2 Build Alternatives

The Farmland Conversion Impact Rating Form NRCS-CPA-106 was completed for Alternatives D, G, and H and was submitted to the Natural Resources Conservation Service (NRCS), as provided in **Appendix D**. NRCS determined that the FPPA applies to the project area. Completion of the form resulted in a total site assessment for the project area below the 160-point threshold for protection, indicating no need for further consideration by the NRCS.

Each alternative was evaluated for acres of potential impact to farmland soils, as summarized in **Table 3-2**.

Table 3-2: Prime Farmland Impacts

Farmland Classification[1]	Alternative D (acres)	Alternative G (acres)	Alternative H (acres)
Prime Farmland	14.9	19.9	9.3
Farmland of Statewide Importance	251.2	229.2	191.8
Prime Farmland if Irrigated	88.9	88.2	74.0
Total	**355.0**	**337.3**	**275.0**

[1] United State Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS).

Based upon the evaluation completed through NRCS-CPA-106, no mitigation measures are proposed beyond BMPs for erosion and sediment control to minimize impacts.

3.4 VEGETATION/LAND COVER TYPES

Existing land cover types were evaluated for the EA based on the National Land Cover Database (NLCD) 2011 land cover data, created by the Multi-Resolution Land Characteristics Consortium. Noxious weeds were also evaluated as ND state law requires control of state-listed noxious weeds.

Land Cover Types
Land cover types within the project area can be broadly classified as planted/cultivated, herbaceous, or developed. Land cover classification descriptions in the project area include open space, developed-low-intensity, developed-medium-intensity, emergent herbaceous wetlands, grassland/herbaceous, shrub/scrub, woody wetlands, pasture/hay, deciduous forest, or open water.

Noxious Weeds
Noxious weeds are invasive plants that spread rapidly and usually have adverse ecological or economic impacts. If left unmanaged, noxious weeds have the potential to affect the characteristics of a given land cover type. State law requires the control of state-listed noxious weeds (North Dakota Century Code Chapter 4.1-47-02), and Williams County has not elected to list any additional noxious weed species beyond the 11 state-listed species recorded by the North Dakota Department of Agriculture (NDDA 2016, 2017) (**Table 3-3**).

Table 3-3: Noxious Weeds Listed for Williams County, North Dakota

Common Name	Scientific Name
Absinth wormwood	*Artemisia absinthium*
Canada thistle	*Cirsium arvense*
Dalmatian toadflax	*Linaria genistifolia*
Diffuse knapweed	*Centaurea diffusa*
Houndstongue	*Cynoglossum officinale*
Leafy spurge	*Euphorbia esula*
Musk thistle	*Carduus nutans*
Palmer amaranth	*Amaranthus palmeri*
Purple loosestrife	*Lythrum salicaria*
Russian knapweed	*Centaurea repens*
Saltcedar	*Tamarix ramosissima*
Spotted knapweed	*Centaurea maculosa*
Yellow toadflax	*Linaria vulgaris*

Source: NDDA 2016, 2017

3.4.1 No Build Alternative

The No Build Alternative would continue roadway maintenance measures and would not result in new land disturbance from road construction.

3.4.2 Build Alternatives

Construction (e.g., use of heavy machinery, clearing, grubbing, and topsoil removal) of Alternatives D, G, and H would impact primarily grassland/herbaceous prairie and cultivated crops cover types as identified in **Table 3-4**. Other impacted cover types, ≤3% area, for the Build Alternatives are developed-open space, developed-low intensity, emergent herbaceous wetland, shrub/scrub, deciduous forest, open water, and woody wetlands. **Section 3.18 – Construction** provides additional information about construction activities.

Woody vegetation was surveyed for Alternatives D, G, and H during field investigations from 2015 to 2017 and included deciduous trees, coniferous trees, and shrubs such as green ash (*Fraxinus pennsylvanica*), cottonwood (*Populus deltoides*), Chinese elm (*Ulmus parvifolia*), Russian olive (*Elaeagnus angustifolia*), boxelder (*Acer negundo*), juniper (*Juniperus* spp.), spruce (*Picea* spp.), and various willow species (*Salix* sp.). Riparian areas, woody draws, and developed areas with landscaping most commonly contained woody vegetation.

There would be impacts to several trees on USACE managed lands under the Build Alternative. These include one Chinese elm (*Ulmus parvifolia*) near the CR 6 bridge in MU 113; and four Russian olive (*Elaeagnus angustifolia*) trees and 26 silver buffaloberry (*Shepherdia argentea*) shrubs within the USACE flowage easement along the Little Muddy River. Tree impacts would be mitigated based on the NDDOT Design Manual requirements and USACE Standard Operating Procedure 14 – Vegetation Mitigation, as applicable.

Vegetation may be impacted by the introduction of noxious weed species after ground disturbance and by vehicles harboring and transporting seeds. During construction and reclamation activities, noxious weeds have the potential to be spread via equipment, soil

movement, and disturbance of existing vegetation. The spread of noxious weeds may impact the remaining native vegetation communities in the project area.

Table 3-4: Primary Land Cover Impacts

	% Area Impacted		
Land Cover Type	**Alterative D**	**Alternative G**	**Alternative H**
Grassland/Herbaceous	44%	51%	59%
Cultivated Crops	35%	25%	24%
Developed, Open Space	9%	9%	7%

Source: National Land Cover Dataset 2011

Impacts to vegetation would be minimized to the extent possible. However, for evaluation purposes, it has been assumed that the entire proposed corridor would be disturbed for construction. Measures to re-establish temporarily disturbed areas would be identified prior to disturbance through the selection of BMPs and agency guidance. The proposed ROW of a build alternative would be maintained using biological, mechanical, chemical and other pest control methods to prevent the spread of noxious weeds.

3.5 FLOODPLAINS

The Federal Emergency Management Agency (FEMA) defines floodplains as any land area susceptible to being inundated by floodwaters from any source (FEMA 2016a). Executive Order 11988, Floodplain Management, requires federal agencies to avoid, to the extent possible, the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

The project area is predominately an unmapped FEMA area (FEMA 2016b). The North Dakota State Water Commission (NDSWC) indicated there are Zone A floodplains (no base flood elevations determined) identified and mapped where the project is to take place in the southwestern portion of the project area, nearest to the City (see NDSWC Letter dated 12/22/2014, **Appendix I**). The remainder of the project area is in an unmapped county (Williams County). The Williams County floodplain administrator was contacted in March 2016 and in April 2018 (**Appendix I**) for input regarding any floodplain issues within the project area. The floodplain administrator indicated that FEMA floodplains had not been mapped and, therefore, no County-level floodplain regulations currently exist in the project construction areas associated with the build alternatives. The project is not anticipated to have impacts on regulated floodplains.

3.5.1 No Build Alternative

The No Build Alternative would not result in changes to the flood zone designations.

3.5.2 Build Alternatives

Alternatives D, G, and H would not impact County-regulated floodplain. No mitigation has been proposed as no impacts to regulated floodplain are anticipated.

3.6 SOCIAL, ECONOMIC AND ENVIRONMENTAL JUSTICE

Social, economic, and environmental justice analysis focuses on how a proposed project could impact an area socially or an area's demographics, the economic impact the proposed project would have on the project area. Executive Order 12898 requires federal agencies to address environmental justice in minority populations or low-income populations by evaluating whether a proposed project would have disproportionately high and adverse human health or environmental effects on those populations. Demographics and general characteristics of a community form the baseline to determine the potential for impacts on social and environmental justice. Business, development, and community growth trends are used to determine potential impacts on the local economy.

Community Characteristics

The City is a hub for development activities and has experienced rapid growth with the oil boom in the recent past. The 2016 estimated population for the City was 19,849 compared to 14,176 in 2010 (**Table 3-5**). The community is a center of employment, education, and commercial/industrial activities. Residential areas consist of single-family neighborhoods and multi-family apartments. Along with a central downtown business district, commercial corridors are found along the highways.

The 2016 estimated population for Williams County was 27,066 compared to 22,399 in 2010. Demographically, the City and Williams County are mostly white (91.7 percent of the population and 90.8 percent, respectively) and range in age between 20 to 64 years (63.7 percent and 61.9 percent, respectively). The median household income in the City and County are similar at approximately $90,000. Approximately 27 percent of the households in the Williston area (City and County combined) earn less than $50,000 annually. **Table 3-5** shows the population and income statistics. The project occurs primarily outside of the city limits in Williams County, where the minority population comprises approximately eight percent of the total population. The income levels in Williams County are similar to those within the City.

Table 3-5: Demographics and Income of the City of Williston and Williams County

	City of Williston		Williams County	
	Estimate	Percentage	Estimate	Percentage
TOTAL	*19,849*	*100*	*27,066*	*100*
GENDER				
Male	10,519	53.0	14,395	53.2
Female	9,330	47.0	12,672	46.8
RACE				
White	18,202	91.7	24,564	90.8
Black or African American	245	1.2	302	1.1
American Indian and Alaska native	671	3.4	1,127	4.2
Other Race(s)	437	2.2	730	2.7
AGE				
Under 20	4,660	23.5	7,183	26.5
20 - 44	7,705	38.8	9,780	36.1
45-64	4,936	24.9	6,978	25.8
65 and older	2,162	10.9	3,125	11.5

	City of Williston		Williams County	
INCOME				
Households	9,565	100	12,390	100
$0-$50,000	-	26.7	-	26.9
$50,000-$100,000	-	27.8	-	27.9
$100,000-$150,000	-	22.3	-	22.6
$150,000-$200,000	-	12.1	-	11.9
$200,000 or more	-	10.9	-	10.6
Median Household	$90,875		$90,080	

Source: USCB 2016

Local Economy
The City of Williston is the regional center for new energy development in the Williston Basin, which has led to rapid job creation, substantial population growth, and extensive development in the community.

US 2 and US 85 are major arterial highways through the region. US 85 corridor travels around the northern and western borders of the City and US 2 passes through the City. ND 1804, another major highway, runs along the south side of the City. Each provides access to businesses in the community with travel corridors that are lined with numerous commercial and industrial businesses. Existing economic activities in the City and oil industry activities, including trucking, would potentially be affected by a build alternative as it has the potential to shift where commerce and development occur in the future. This shift could have both positive and negative impacts depending on the location and type of business. It is unknown at this time what the impacts, if any, may be on the existing businesses. The development of a permanent NE TRR may attract businesses to serve users of the corridor, especially those that could locate at the intersections of the NE TRR. Along the rest of the corridor, access will be limited, and therefore, locating businesses along the route may be less attractive as accessing the businesses would be more difficult.

3.6.1 No Build Alternative

The No Build Alternative would result in continued mobility and associated social impacts from truck traffic in the City. If congestion builds within the City, people may begin to avoid routes, which could negatively impact businesses, while benefitting businesses located elsewhere. Demographic information available for the City and Williams County does not indicate substantial differences in minority populations or low-income populations along the No Build Alternative and, therefore, impacts to these specific populations would not be disproportionate to the general populations in the project area.

3.6.2 Build Alternatives

Social and Environmental Justice
Alternatives D, G, and H influence potential development in rural areas as a new roadway would provide approximately one access per mile on each side of the alternative route. Considerations of environmental justice were evaluated, and based on available demographic information and project location, the project would not result in disproportionately high or adverse impacts to minority or low-income populations as the Build Alternatives would be routed through primarily undeveloped areas with dispersed homesteads, agricultural land, and oil and gas-related development. None of the alternatives would divide existing neighborhoods or reduce neighborhood community access or mobility. Construction would occur outside of the City in less populated areas.

Economic
Depending on population movement, potential development could benefit the tax base of Williams County and could negatively impact the tax base of the City. Commercial development could occur along Alternative D, G, or H corridors, especially near main intersections. This commercial development would likely benefit the tax base of Williams County. Reduced truck traffic and congestion within the City could also benefit businesses as traffic flow is expected to improve.

3.7 PUBLIC SERVICES AND INFRASTRUCTURE

The City of Williston is the population center for Williams County and has developed extensive public services and a network of infrastructure and utilities. Much of the project area is rural and is supported by the public services and infrastructure within the greater Williston area. Public services in the project area include the State Highway Patrol, Williams County Sheriff's Department, and Williston Police Department. The City provides emergency medical services and fire service within the city limits, and the Williston Fire Protection District serves the rural areas.

3.7.1 No Build Alternative

The No Build Alternative could result in impacts to public services through increased congestion on existing roads and potentially slower emergency response times. In addition, increased traffic volumes could result in higher deterioration rates of existing roads and potentially require more frequent maintenance, further increasing construction periods. Utilities would not be impacted.

3.7.2 Build Alternatives

Impacts on public services would occur with Alternatives D, G, and H. The Build Alternatives would reduce the truck traffic and congestion within the City which may improve emergency service response times. Build Alternatives may result in residential and commercial development by providing access to new areas. This expansion may increase the need for additional emergency services to these areas.

Alternatives D, G, and H would cross public and private roadways and recreational trail systems. The Build Alternatives would also cross the BNSF railroad tracks with a grade-separated crossing and would not result in traffic delays. During construction, traffic delays would be temporary and kept to the minimum extent possible.

Alternatives D, G, and H would cross several utilities in the project area, including buried electric and gas utilities, overhead power lines, gathering pipelines, rural water lines, and other similar infrastructure. There are several utilities currently installed along CR 6 near Love's Travel Stop. These include fiber optic cables (Midco), and City infrastructure (e.g., stormwater culvert and inlet stormwater line, sanitary sewer, and water main line). There are also two access drives for the future development of the Camp Creek Industrial Park, east of Love's Travel Stop, that would require relocation from the proposed permanent NE TRR and onto Camp Drive. Montana-Dakota Utilities also has utilities along the CR 6 and CR 9 corridors. **Appendix I** provides additional details for Midco, City of Williston, and Montana-Dakota Utilities regarding utilities within the project area. Existing utilities would be accommodated within the NDDOT ROW. NDDOT would work with utility companies to avoid impacts, where feasible, and minimize disruption to services.

Preliminary project design avoids impacts to community water intake structures and water distribution infrastructure under the Build Alternatives. If modifications become necessary during final design and construction, these activities would be coordinated with the appropriate utility companies, and any relocations on USACE land would include applicable easement acquisitions and modifications.

There are two utility easements in USACE MU 113 near CR 6, one for overhead electric lines and the other for buried electric lines. Both easements are with Mountrail-Williams Electric Cooperative, Inc. Utility impacts would be coordinated with each affected utility company and the USACE, as applicable. Any interruptions would be kept to a minimum. The ROW for the Build Alternatives can accommodate utilities, and therefore, relocations are not anticipated and would be further evaluated during the survey and final project design.

3.8 AIR QUALITY

Air quality has the potential to affect the health of humans and the environment. The U.S. Environmental Protection Agency (EPA) and the North Dakota Department of Environmental Quality (NDDEQ) regulate air quality in North Dakota through the implementation of the federal Clean Air Act (CAA) (42 USC. §§ 7401-7671q). The EPA established National Ambient Air Quality Standards (NAAQS) for six criteria pollutants to protect the public from the health hazards associated with air pollution. These six criteria pollutants include:

- Carbon Monoxide (CO)
- Lead (Pb)
- Nitrogen Dioxide (NO_2)
- Ozone (O_3)
- sulfur dioxide (SO_2)
- Particulate matter of two sizes [less than 10 microns in diameter (PM_{10}) and less than 2.5 microns in diameter ($PM_{2.5}$)] (USEPA 2015).

North Dakota has completed a State Implementation Plan (SIP), which includes air quality standards and emission regulations required to achieve and maintain the air quality in compliance with the CAA and the NAAQS. All North Dakota counties are currently in attainment with the NAAQS. The project is in an area where the ND SIP does not contain any transportation control measures, and therefore, the conformity procedures of 23 CFR 770 do not apply to this project.

3.8.1 No Build Alternative

Under the No Build Alternative, no construction would occur, and therefore no new air quality impacts would occur. Future potential increase in traffic could negatively impact air quality as traffic congestion can cause areas of higher emission levels.

3.8.2 Build Alternatives

Based on existing air quality in the region and by complying with federal emissions controls, the Build Alternatives are not anticipated to result in measurable impacts to air quality. Temporary impacts would likely occur during construction activities, which is discussed further in **Section 3.18**. BMPs, such as road dust control and properly muffled and maintained equipment, would be used to minimize potential air quality impacts during construction.

The Build Alternatives would allow for vehicles to move through the area with limited, if any, stopping, thus reducing idling and congestion in the City.

3.9 NOISE

The noise analysis was conducted in accordance with the United States Code of Federal Regulations Part 772 (23 CFR 772), Procedure for Abatement of Highway Traffic Noise and Construction Noise (US FHWA 2010), the FHWA Highway Traffic Noise Analysis and Abatement Policy Guidance (US FHWA 2011), and the NDDOT Noise Policy and Guidance (NDDOT 2011). According to the NDDOT Noise Policy and Guidance, a traffic noise impact can occur under either one of the following two conditions:

- When traffic noise levels are within one decibel (dBA) of the FHWA Noise Abatement Criteria (NAC) or
- When an increase of 15 dBA is projected to occur, regardless of the absolute noise level, either upon project completion or projected 20 years.

A Noise Analysis Report (Ulteig 2016a) was completed for the project in May 2016, an Addendum to the Noise Analysis Report (Ulteig 2016b) was completed in June 2016, and a second Addendum was completed in September 2018 (Ulteig 2018). These documents are appended by reference. Monitoring was completed at various times throughout 2016 and 2017. Twenty-three locations were evaluated within the alternative corridors, including sites that are associated with Build Alternatives that were not carried forward for further study in the EA (Sites 1-9, 13 and 21). Land use within the project area primarily includes residential and rural undeveloped landscapes. Noise receiver sites and noise receptor sites are shown in **Figure 10**. A noise receptor is defined as a discrete or representative location of a noise-sensitive area(s), for any land use listed in Noise Abatement Criteria. A noise receiver is a noise monitor location selected to represent the potentially impacted land uses within a project area. The receiver locations can represent multiple receptors in an area. Field measurements are taken at the noise receiver locations.

Table 3-6 shows the Noise Abatement Criteria (NAC) for determining where abatement must be considered. The FHWA NAC are objective absolute noise levels for varying land use categories that are used to determine if and where traffic noise impacts occur, defined in 23 CFR 772.5. States must consider noise abatement measures were impacts occur and must include abatement in the project plans, specifications, and estimate if abatement is found to be feasible and reasonable. The project area includes Activity Category B, which is typical of residential areas, and a picnic area/recreational area on USACE lands classified as Activity Category C. Both Activity Categories have a NAC level of 67 dB. Additionally, much of the project area is considered Activity Category F, which does not have NAC abatement criteria thresholds.

Table 3-6: Noise Abatement Criteria (23 CFR 772)
(Hourly A-Weighted Sound Level decibels[1])

Activity Category	Activity Criteria[2]		Evaluation Location	Activity Description
	$L_{eq}(h)$	$L_{10}(h)$		
A	57	60	Exterior	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B[3]	67	70	Exterior	Residential.
C[3]	67	70	Exterior	Active sports areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites, schools, television studios, trails, and trail crossings.
D	52	55	Interior	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio stations, recording studios, schools, and television studios.
E[3]	72	75	Exterior	Hotels, motels, offices, restaurants/bars, and other developed lands, properties or activities not included in A-D or F.
F	---	---	---	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, utilities (water resources, water treatment, electrical), and warehousing.
G	---	---	---	Undeveloped lands that are not permitted.

[1] Either Equivalent Continuous Noise Level (hourly) (Leq[h]) or the sound level that is exceeded 10 percent of the time for an hourly period (L10[h]) (but not both) may be used on a project.
[2] The Leq(h) and L10(h) Activity Criteria Values are for impact determination only, and not design standards for noise abatement measure.
[3] Includes undeveloped lands permitted for this activity category.
Source: 23 CRF Part 772 Table 1 to Part 772 – Noise Abatement Criteria [Hourly A-Weighted Sound Level in Decibels dB(A)]

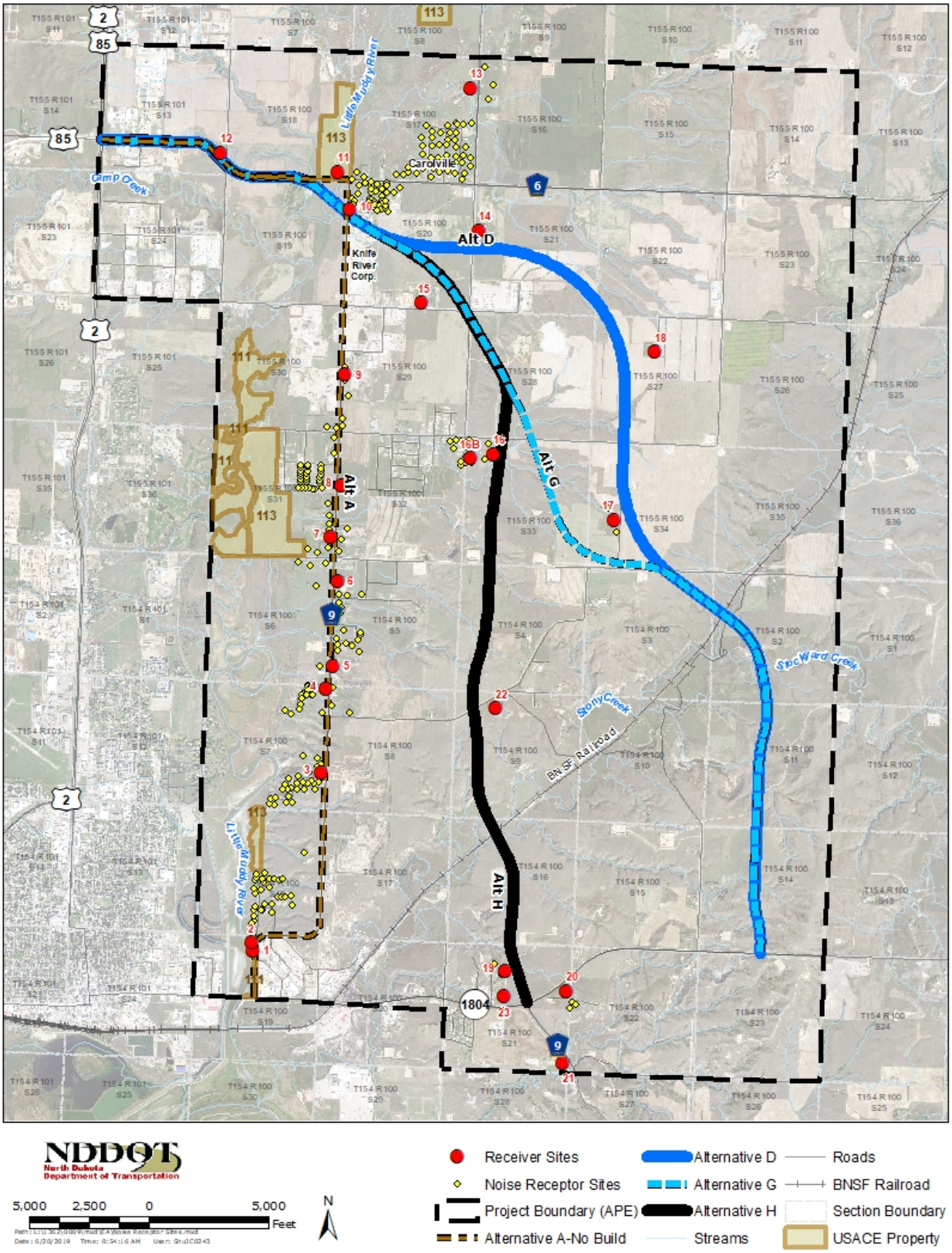


Figure 10: Noise Receiver and Receptor Sites

3.9.1 No Build Alternative

Under the No Build Alternative, the noise increase along the CR 9 corridor would be gradual over time. Noise levels would increase in the future as traffic levels increase since trucks are required to accelerate and decelerate more frequently along the route and through the City.

3.9.2 Build Alternatives

Noise Evaluations were completed in 2016 and 2017; the evaluations involved site monitoring and modeling using the FHWA Traffic Noise Model Version 2.5 (TNM v2.5). Modeled traffic data for 2040 was used to predict future noise conditions from traffic (Ulteig 2016a). The predicted change in sound levels for areas within each alternative is presented below for sites associated with the specific Build Alternative. Temporary noise would be created during the construction of a Build Alternative from heavy equipment use. BMPs would be used to minimize temporary noise impacts to adjacent receptors. Temporary construction noise impacts are covered in **Section 3.18 – Construction.** All three Build Alternatives contain the same two Activity Category B receivers (Sites 10 and 12) and Activity Category C receiver (Site 11), which are included in the total number of receivers for each of the Build Alternatives described below.

FHWA noise regulations and NDDOT noise policy (NDDOT 2011) state that a traffic noise impact occurs when predicted build condition noise levels at receptors approach, meet, or exceed the FHWA NAC or have a substantial increase in the design year over the existing noise level. According to NDDOT policy, a receptor would be impacted if (1) traffic-generated noise levels were within 1 dBA of the NAC or (2) an increase of 15 dBA or more (i.e., substantial increase) from existing conditions is projected to occur either upon project completion or projected 20-years hence. If a receptor is found to be impacted, noise abatement must be considered.

Abatement measures are evaluated based on the feasibility and reasonableness criteria provided by the NDDOT and FHWA. Feasibility of noise abatement determines whether engineering considerations are to be given and to assess if the abatement measure may provide a minimum reduction in noise levels. The feasibility evaluation criteria and minimum reduction required are stated in the NDDOT Noise Policy and Guidance (2011) document. Reasonableness of noise abatement can be defined as a combination of social, economic, and environmental factors considered in the evaluation for a noise abatement measure. For a noise abatement measure to be considered reasonable, it must consider the viewpoints of property owners and residents of the benefited receptors, cost-effectiveness, and noise reduction design goal. These three factors are stated in the NDDOT Noise Policy and Guidance (2011) document.

The Alternative D corridor contains five Activity Category B receivers and one Activity Category C receiver (USACE land, Site 11). The values listed in **Table 3-7** show the measured existing noise levels and predicted future year (2040) noise levels for all modeled receivers in the vicinity of the proposed route. Site 12 is approaching NAC, which is an approximate increase of 2.4-2.7 dBA from existing conditions. Site 18 exceeds NAC with an approximate increase of 35.2-37.6 dBA.

Table 3-7: Alternative D Sound Levels

Site	Measured Existing Sound Level (dBA)	Predicted Sound Level (dBA)	NAC	Impact Type	Change in Sound Level (dBA)
		2040		2040	2040
10	54.4	63.1	67	----	8.7
10	60.9	63.1	67	----	2.2
11[1]	51.2	47.3	67	----	-3.9
11[1]	56.4	47.3	67	----	-9.1
12	63	65.7	67	----	2.7
12	63.3	65.7	67	----	2.4
12	63.1	65.7	67	----	2.6
14	41.2	51	67	----	9.8
14	38.1	51	67	----	12.9
14	45.5	51	67	----	5.5
17	39.8	50.9	67	----	11.1
17	43.9	50.9	67	----	7.0
17	48.7	50.9	67	----	2.2
18	41.2	76.4	67	Both	35.2
18	39.1	76.4	67	Both	37.3
18	40.8	76.4	67	Both	35.6

[1]Site is located on USACE land.

The Alternative G corridor contains four Activity Category B receivers and one Activity Category C receiver. The values listed in **Table 3-8** show the measured existing noise levels and predicted future year (2040) noise levels for all modeled receivers in the vicinity of the alternative route. Site 12 is approaching NAC, which is an approximate increase of 2.4-2.7 dBA from existing conditions. Site 16B contains impacts that show a substantial increase in future noise levels over the existing.

Table 3-8: Alternative G Sound Levels

Site	Measured Existing Sound Level (dBA)	Predicted Sound Level (dBA)	NAC	Impact Type	Change in Sound Level (dBA)
		2040		2040	2040
10	54.4	63.1	67	----	8.7
10	60.9	63.1	67	----	2.2
11[1]	51.2	47.3	67	----	-3.9
11[1]	56.4	47.3	67	----	-9.1
12	63	65.7	67	----	2.7
12	63.3	65.7	67	----	2.4
12	63.1	65.7	67	----	2.6
15	43.8	47.3	67	----	3.5
15	53.0	47.3	67	----	-5.7
15	49.1	47.3	67	----	-1.8
16B[2]	38.0	56.2	67	Substantial Increase	18.2
16B[2]	37.4	56.2	67	Substantial Increase	18.8
16B[2]	36.4	56.2	67	Substantial Increase	19.8

[1] Site is located on USACE land.

[2] Field measurements could not be taken at Site 16. The site was moved to Site 16B to complete measurements and determine impacts.

The Alternative H corridor contains six Activity Category B receivers and one Activity Category C receiver; monitoring was not completed at receiver Site 19 due to access limitations. The values listed in **Table 3-9** shows the measured existing noise levels and predicted future year (2040) noise levels for all modeled receivers in the vicinity of the proposed alternative. Three measurements were taken at Site 20, four at Site 22, and five at Site 23. Site 12 is approaching NAC, which is an approximate increase of 2.4-2.7 dBA from existing conditions. Sites 16 and 22 contain impacts that show a substantial increase in noise levels over the existing and impacts that approach or exceed the FHWA NAC.

Table 3-9: Alternative H Sound Levels

Site	Measured Existing Sound Level (dBA)	Predicted Sound Level (dBA)	NAC	Impact Type	Change in Sound Level (dBA)
		2040		2040	2040
10	54.4	63.1	67	----	8.7
10	60.9	63.1	67	----	2.2
11[1]	51.2	47.3	67	----	-3.9
11[1]	56.4	47.3	67	----	-9.1
12	63	65.7	67	----	2.7
12	63.3	65.7	67	----	2.4
12	63.1	65.7	67	----	2.6
15	43.8	47.3	67	----	3.5
15	53.0	47.3	67	----	-5.7
15	49.1	47.3	67	----	-1.8
16B[2]	38.0	56.2	67	Substantial Increase	18.2
16B[2]	37.4	56.2	67	Substantial Increase	18.8
16B[2]	36.4	56.2	67	Substantial Increase	19.8
20	49.4	50.7	67	----	1.3
20	47.6	50.7	67	----	3.1
20	49	50.7	67	----	1.7
22	42.5	71.3	67	Both	28.8
22	39.4	71.3	67	Both	31.9
22	42.4	71.3	67	Both	28.9
22	46.5	71.3	67	Both	24.8
23	57.8	60.4	67	----	2.6
23	58.1	60.4	67	----	2.3
23	60.2	60.4	67	----	0.2
23	57.2	60.4	67	----	3.2
23	55.9	60.4	67	----	4.5

[1] Site is located on USACE land.

[2] Field measurements could not be taken at Site 16. The site was moved to Site 16B to complete measurements and determine impacts.

A concrete barrier wall as an abatement measure was analyzed for each impacted receiver for each build alternative. Various heights and lengths of barrier walls were evaluated based on the noise abatement needs of the impacted receivers. The abatement measures for the Build Alternatives were evaluated based on the feasibility and reasonableness criteria provided by the NDDOT and FHWA.

In October 2017, an additional analysis was completed for Site 19 along Alternative H due to landowner concerns. Please refer to **Appendix J** for a copy of the correspondence related to Site 19. Field monitoring was not completed at this site due to access limitations. The noise model had already been validated for this route and was used to analyze impacts. The validated model was used to create the existing conditions at this site. The existing and future conditions were then modeled and analyzed. Site 19 shows a substantial increase along Alternative H. **Table 3-10** shows the measured existing noise level and the predicted future year (2040) noise level for Site 19 along Alternative H. Various heights and lengths of the barrier wall were evaluated based on the noise abatement needs of the impacted receiver. The abatement measure was evaluated based on the feasibility and reasonableness criteria provided by the NDDOT and FHWA.

Table 3-10: Sound Levels at Alternative H - Site 19

Site	Measured Existing Sound Level (dBA)	Predicted Sound Level (dBA)	NAC	Impact Type	Change in Sound Level (dBA)
		2040		2040	2040
19	39.7	55	67	Substantial Increase	15.3

Based on the analysis completed, it is not recommended to install traffic noise abatement in the form of concrete noise barrier walls along the proposed build alternatives. Using the standards stated in the NDDOT Noise Policy and Guidance (2011), the noise barriers do not meet the feasibility and reasonableness requirements due to the excessive size of the noise barrier walls and possible maintenance issues. Preliminary design of the noise abatement walls at the impacted receivers exceeds the NDDOT standard of $24,000 per benefited receptor, resulting in the recommendation not to install the abatement measures. If it is subsequently determined that these conditions have substantially changed, the abatement measures may be re-evaluated. Please refer to the Noise Analysis Report (Ulteig 2016a, 2016b, and 2018), appended by reference, for additional detail.

Although there are noise impacts identified along the proposed corridors, it is neither reasonable nor feasible to mitigate these impacts based on the NDDOT Noise Policy and Guidance (2011). Temporary construction noise impacts are covered in **Section 3.18 – Construction.**

3.10 WATER QUALITY

The Federal Water Pollution Act of 1972 (amended by the Clean Water Act [CWA] of 1977) provides the authority to establish water quality standards, control discharges into surface and subsurface waters, develop waste treatment management plans and practices, and issue permits for discharges (Section 401 and Section 402) and dredged or fill material (Section 404). A North Dakota Pollutant Discharge Elimination System (NDPDES) permit for the discharge of stormwater-related to construction activity would be required for the project.

The City is also designated as a regulated Small Stormwater Municipal Separate Storm Sewer System (MS4), which regulates the discharge from small municipalities and entities that have controlled storm sewer systems. NDDOT is considered an MS4 inside other MS4 regulated communities; therefore, stormwater discharges from the project within the Williston city limits would also be subject to MS4 permit requirements.

Water quality varies from place to place, but most ground water in the county exceeds U.S. Public Health Service standards. Water quality is vital to support healthy ecosystems and fish habitats. Most of the water in Williams County is provided by municipalities and special districts (Williams County, North Dakota 2012). To determine the potential of impacts to water wells, well information from the NDSWC (NDSWC Mapservice 2017) (http://mapservice.swc.state.nd.us) was reviewed. The information included Drillers Logs, United States Geological Service (USGS) Gages, and Ground/Surface Water Sites. The NDSWC, through the Solicitation of Views (SOV) process, stated that no sole-source aquifers have been designated in ND.

There are several waterbodies in the project area, Camp Creek, Little Muddy River, Stockyard Creek, and Stony Creek. Of these waterbodies, the Little Muddy River is listed on the North Dakota Section 303(d) List of Impaired Waters (NDDoH 2019) due to fecal coliform. A waterbody is considered water quality limited (i.e., impaired) when it is known that its water quality does not or is not expected to meet applicable water quality standards. Waterbodies can be water quality limited due to point sources of pollution, nonpoint sources (NPS) of pollution, or both (NDDoH 2019).

3.10.1 No Build Alternative

Natural drainage crossings exist along the No Build corridor. **Section 3.12** discusses waterbodies and waterbody crossings within the project area. Current impacts to water quality, such as stormwater runoff and erosion or sedimentation in the project area from roads and development, would continue. However, with increased traffic along the temporary NE TRR corridor, the risk for contamination from a hazardous materials spill into adjacent water drainages would also increase. Under the No Build Alternative, impacts from new roadway construction would not occur, and therefore impacts on water quality from new construction activities (i.e., site clearing, grading, excavating, and construction activities) would not occur.

3.10.2 Build Alternatives

Potential impacts to water quality from the Build Alternatives would include stormwater runoff, sedimentation and erosion, and potential contamination through spills from construction activities. Alternatives D, G, and H could temporarily impact the Little Muddy River (OW 1g) and Stony Creek (OW 16e) due to the construction of new bridges. The existing CR 6 bridge in Section 19 (Township 155, Range 100), crossing the Little Muddy River, would be demolished and a section of pavement east to the intersection of CR 9 would be removed. Access to adjacent properties would be maintained, but potentially reconfigured. Proper steps would be taken to minimize the temporary effects of construction. After construction, the existing landscape would be reclaimed to pre-construction conditions where possible or replanted in a suitable habitat. Impacts on wetlands and other waters are further discussed in **Section 3.11** and **Section 3.12** discusses waterbodies and waterbody crossings within the project area.

All project activities would avoid any wells located within the Build Alternative corridors; therefore, no groundwater impacts are anticipated.

BMPs to minimize erosion, sedimentation, and fuel/oil spills, along with mitigation measures found in the stormwater pollution prevention plan (SWPPP) as required for the NDPDES permit, would be in place prior to construction to avoid and minimize water quality impacts. During bridge construction or demolition, a shield system would be installed below the deck to prevent debris from falling into the river. A USACE Temporary Construction License and Section 408 permission would be required on USACE property. The construction activities within the river would likely require NDDOT Stream Diversion Special Provision and would follow the NDDOT *Standard Specifications for Road and Bridge Construction*. In **Section 4.2.1**, **Table 4-1** provides a summary of the permits needed for project construction, including the NDPDES permit. In **Section 4.2.2**, **Table 4-2** summarizes the environmental commitments for the project, including preventing additional water quality impairment to the Little Muddy River.

3.11 WETLANDS AND OTHER WATERS OF THE U.S.

The USACE (Federal Register 1982) and the EPA (Federal Register 1980) jointly define wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and other similar areas and are an important natural resource that supports vegetative and aquatic life and serves many functions, such as providing habitat for wildlife, storage of floodwaters, recharge groundwater, and improve water quality.

Non-wetland aquatic areas are classified as Other Waters of the United States (OWUS), including rivers, streams, and lakes. These waters are an important part of the ecosystem and can be isolated from other wetland systems or have adjacent wetlands (e.g., riparian and wetland forests). Similar to wetlands, OWUS can trap floodwaters, recharge groundwater supplies, remove pollution, provide fish and wildlife habitat, and sustain the health of other downstream rivers and lakes. Section 404 of the CWA protects wetlands and OWUS under the jurisdiction of the USACE from dredging and placement of fill material. Executive Order 11990 also protects natural wetlands when federal agencies are involved.

The Build Alternative is considered a linear project and would involve crossing one or more waterbodies. The USACE defines a “single and complete project” as that portion of the total linear project that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For example, the new crossing at the Little Muddy River is considered a single and complete project. If the Build Alternative crosses the same wetland at two locations, the total impact to that wetland would be considered a single and complete project.

Wetland delineations were conducted within the alternative study corridors in the field seasons of 2015, 2016, and 2017. Full copies of the wetland delineation reports are on file at the NDDOT and are appended to this EA by reference. The temporary and permanent wetland and OWUS impacts for each build alternative are provided in **Appendix E**.

3.11.1 No Build Alternative

Wetlands and OWUS would not be impacted by the No Build Alternative, as the existing road corridor would remain the same.

3.11.2 Build Alternatives

Table 3-11 summarizes wetlands and OWUS impacts for each alternative. Detailed impact tables for wetlands and OWUS are provided for each alternative in **Appendix E**.

Mitigation is required for USACE jurisdictional wetlands that would be permanently impacted by greater than 0.10 acre. Pursuant to EO 11990 (23 CFR 777), mitigation is also required for adverse environmental impacts to wetlands and natural habitat resulting from Federal-aid projects. A Section 404 permit would be obtained prior to construction for permanent impacts to jurisdictional wetlands and OWUS. Impacts greater than 0.5 acres for single and complete projects would require a USACE Individual permit, which is anticipated for this project. Mitigation for permanent impacts would occur on site. If onsite mitigation is not feasible for all impacts, offsite wetland creation would be used. If offsite wetland creation is the only available mitigation option, increased mitigation ratios would be necessary. A conceptual wetland mitigation plan is provided in **Appendix E**.

Table 3-11: Wetland and Other Waters Impact Summary

Impact Summary Table							
Permanent Impact Summary				**Temporary Impacts and additional information**			
Wetland Type	**Alt D Total (Acres)**	**Alt G Total (Acres)**	**Alt H Total (Acres)**	**Wetland Type**	**Alt D Total (Acres/Lf)**	**Alt G Total (Acres/Lf)**	**Alt H Total (Acres/Lf)**
Natural/JD (Fill/Drain)	2.32	2.32	2.44	**Temporary JD**	0.28	0.28	0.30
Natural/Non-JD (Fill/Drain)	0.24	0.37	0.16	**Non-JD Temporary**	0.11	0.14	0.14
Artificial/JD (Fill/Drain)	--	--	0.07	**Permanent JD > 0.10**	2.95	2.95	3.07
Artificial /Non-JD (Fill/Drain)	1.05	1.05	1.05	**Permanent OW**	0.27 ac./ 434 ft.	0.27 ac./ 434 ft.	0.51 ac./ 435 ft.
Total	**3.61**	**3.74**	**3.72**	**Temporary OW**	0.20 ac./ 60 ft.	0.20 ac./ 60 ft.	0.20 ac./ 60 ft.
JD Natural (Cut)	0.63	0.63	0.63				
JD Artificial (Cut)	--	--	--				
Non-JD Natural (Cut)	0.04	0.04	0.04				
Non-JD Artificial (Cut)	--	--	--				
Total	**0.67**	**0.67**	**0.67**				

JD: USACE Jurisdictional

[1] Wetland Jurisdictional Determinations were issued by the USACE on 11/21/2016 and 09/29/2017; NWO-2016-01946-BIS (**Appendix E**).

[2] All impacts to natural wetlands (natural/jurisdictional and natural/non-jurisdictional), regardless of size, as well as impacts greater than 0.10 acre to artificial/jurisdictional wetlands require mitigation.

[3] All artificial/non-jurisdictional, deep water (impacts greater than 6.6 feet), and temporary impacts do not require mitigation. OWUS determined by the USACE on a case by case.

3.12 WATERBODY MODIFICATION, FISHERIES, AQUATIC NUISANCE SPECIES, AND WILDLIFE

Waterbody modification would involve the impoundment, relocation, channel deepening, filling, or other means to alter an existing waterbody. Modifications to a waterbody are regulated at the local, state, and federal level depending on the activity and extent of modification. Waterbody modification may result in associated impacts to fish and wildlife from degradation or loss of habitat. Impacts to fish and wildlife require coordination with the U.S. Fish and Wildlife Service (USFWS) under the Fish and Wildlife Coordination Act of 1958. Consultation with the USFWS is initiated for potential impacts from the project on wildlife and wildlife habitat. **Section 3.13** provides an additional discussion on threatened and endangered species. Preventing the spread of aquatic nuisance species (ANS) is a concern for any project involving waterbodies; however, no ANS has been recorded in the project area to date.

Waterbodies
Camp Creek, Little Muddy River, Stockyard Creek, and Stony Creek are located within the project area. Each waterbody has many associated small tributaries that include drainageways and intermittent streams (**Figure 11**). Waterbody crossings are summarized in **Table 3-12**.

Table 3-12: Waterbody Crossing Structures

Structures	Alt. D	Alt. G	Alt. H
Culverts	9	9	7
Bridges	2	2	2

Fisheries
The Little Muddy River is a tributary to the Missouri River/Lake Sakakawea system; many fish species rely on this system for habitat and it is a known recreational resource and has public fishing access.

Aquatic Nuisance Species
ANS rules were enacted by the North Dakota Game and Fish Department (NDGF) in 2008. These regulations are intended to prevent the introduction of undesirable aquatic species of plants and animals, such as zebra mussels (*Dreissena polymorpha*) or curly-leaf pondweed (*Potamogeton crispus*). The ANS list is reviewed annually, and additions/deletions are made as deemed necessary. As of the publication of this EA, no ANS has been recorded in the project area.

Wildlife
As of the publication of this EA, there are no state-listed threatened or endangered species in North Dakota. Portions of the project area are undeveloped and contain native and non-native grassland communities and riparian areas. Some of these areas have remained undeveloped due to steep slopes and unstable terrain, often associated with a drainage or stream. These undeveloped areas provide habitat for a variety of wildlife, raptors, migratory birds including several species of songbirds, fowl, small mammals, reptiles, small predators such as coyotes (*Canis latrans*) and red foxes (*Vulpes vulpes*), and ungulates such as mule deer (*Odocoileus hemionus*) and white-tailed deer (*Odocoileus virginianus*).

Migratory birds are a specifically regulated group of wildlife present in the project area. The Migratory Bird Treaty Act (MBTA), 16 USC 703-712, protects over 1,000 migratory bird species and their parts (eggs, nests, and feathers). Migratory bird species present in this area of Williams County include Baird's sparrow (*Ammodramus bairdii*), Black-billed cuckoo

(*Coccyzus erythropthalmus*), Chestnut-collared longspur (*Calcarius ornatus*), Ferruginous hawk (*Buteo regalis*), Lark bunting (*Calamospiza melanocorys*), Lesser yellowlegs (*Tringa flavipes*), Long-billed curlew (*Numenius americanus*), Marbled godwit (*Limosa fedoa*), Red-headed woodpecker (*Melanerpes erythrocephalus*), Sprague's pipit (*Anthus spragueii*), and the Willet (*Tringa semipalmata*). Each of these species is a USFWS bird of conservation concern and may exist in areas with suitable habitat, primarily the undeveloped grassland or herbaceous vegetation areas. Cultivated areas may be used by some bird species for foraging. Bridges or box culverts may also be used by swallows or other birds for nesting and roosting.

Bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) are two North Dakota raptor species protected by the Bald and Golden Eagle Protection Act (BGEPA) of 1940 (16 USC 668-668c). Bald eagles are associated with rivers, streams, and riparian areas and are one of the key Species of Conservation Priority (SoCP) in the Missouri River system (NDGF 2005). Since the Missouri River provides good nesting habitat for bald eagles, potential bald eagle habitat is within the project area (NDGF 2005). Golden eagles prefer open shrubland and grasslands of shortgrass, mixed-grass, and xeric grasslands (NDGF 2005). Golden eagles are active in the nearby Little Missouri National Grasslands; therefore, potential golden eagle habitat (shrubland and grasslands) may exist within the project area. A raptor nest survey was completed in Spring 2015 for the project area. Prior to conducting the raptor nest surveys, the NDGF was consulted in March 2015 regarding known eagle nests. NDGF records indicated there are no known bald or golden eagle nests in or within 1 mile of the project area. During the raptor nest surveys, no eagle nests were observed in the project area.

BGEPA prohibits the take or disturbance of bald or golden eagles, including their parts, nests, or eggs without a permit issued by the Secretary of the Interior. The BGEPA also prohibits construction impacts near or around an active nest site, which may cause nest abandonment due to agitation or stress. If eagles become present in the project area, construction timing restrictions would be implemented during nesting.

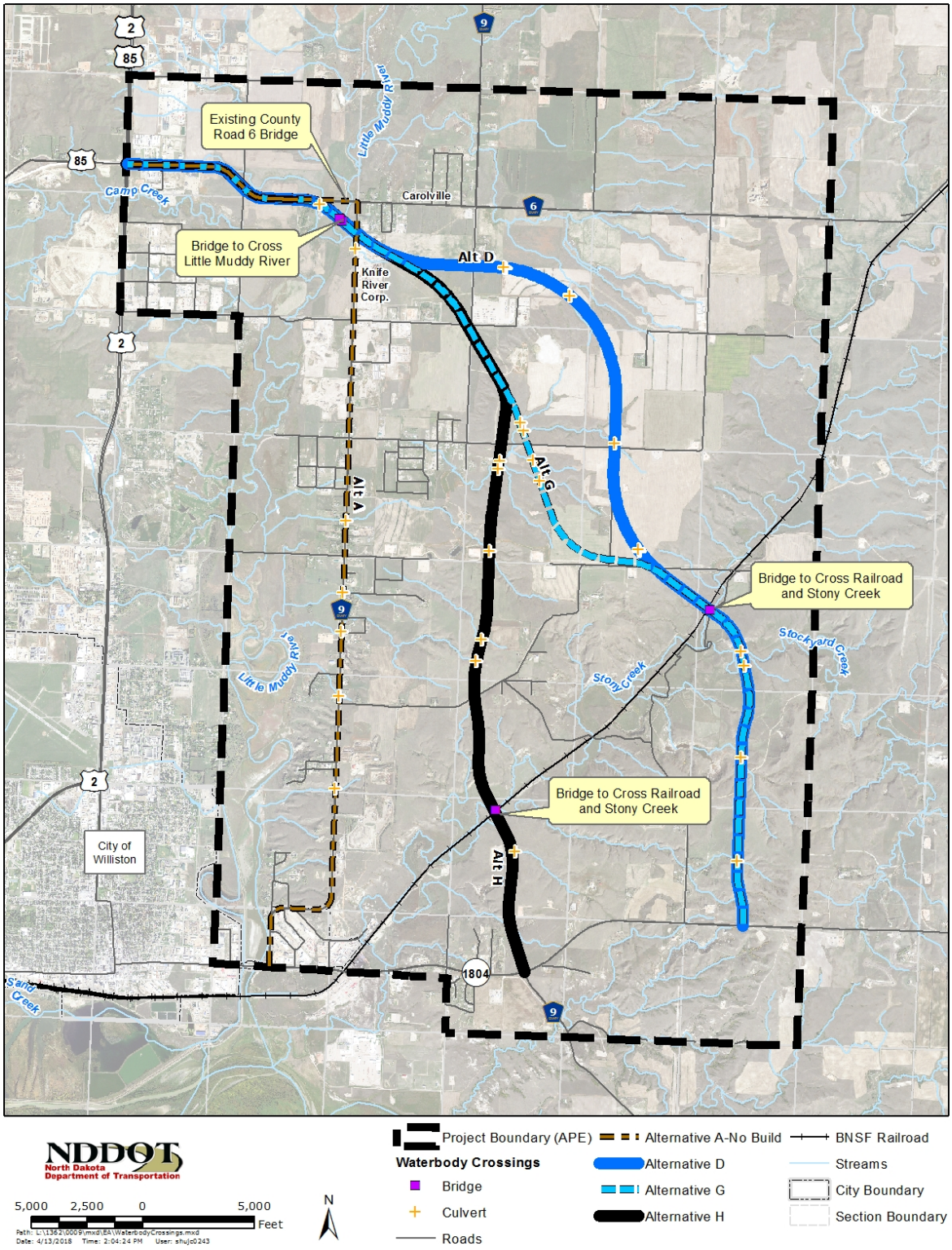


Figure 11: Waterbody Crossings

3.12.1 No Build Alternative

Waterbodies
Truck traffic would continue to use the No Build route to travel north and south to avoid downtown Williston. The Little Muddy River is adjacent to the west side of CR 9. Several tributaries of the Little Muddy River are also located along this corridor. Impacts due to risk of hazardous material spills would continue and could increase as traffic levels are projected to increase. Existing waterbody crossings would not be modified, nor would new waterbody crossings be constructed under the No Build Alternative.

Fisheries
Currently, there is an existing crossing over the Little Muddy River on CR 6. Under the No Build Alternative, there would be no new construction of waterbody crossings, and therefore no impacts to the Little Muddy River or its fishery.

Aquatic Nuisance Species
The No Build Alternative would not cause impacts from ANS.

Wildlife
Impacts to wildlife under the No Build Alternative could increase relative to projected traffic level increases, which may lead to greater collision risks to wildlife crossing CR 6 and CR 9.

3.12.2 Build Alternatives

Waterbodies
Alternatives D, G, and H would require the construction of waterbody crossings for Stony Creek, several tributaries of Stony Creek, Stockyard Creek, and the Little Muddy River. New culverts, extensions of existing culverts, and new bridges would be required based on stream type and crossing design requirements. Crossings would be needed at Stony Creek and the Little Muddy River. As discussed in **Section 3.1.2**, USACE permission would be required construction activities within the flowage easement. Potential impacts to water quality are described in **Section 3.11.2**. USACE property would not be impacted by the construction of new bridge crossings.

Fisheries
Alternatives D, G, and H would require the construction of a new bridge crossing the Little Muddy River south of the existing crossing at CR 6. Traffic would continue to use the CR 6 bridge crossing until the new bridge is complete. Project bridge activities would require a NDDOT Stream Diversion Special Provision and permission through the Section 408 process. Construction of the crossing may result in temporary impacts to water quality downstream of the crossing site. Permanent piers would be placed in the Little Muddy River for new bridge construction, which would have localized impacts on the fishery habitats in the river. Detrimental impacts on water quality and fisheries in the Little Muddy River would be avoided using construction BMPs. The loss of aquatic habitat would be minimized by avoiding wetland and other stream impacts as feasible, maintaining the hydrologic flow of the stream systems, and using BMPs and proper erosion control as required by the NDDOT Standard Specifications.

In accordance with Section 401 and Section 402 of the Clean Water Act, the project would comply with all specific terms and conditions of Section 404, the NDPDES Construction Stormwater Permit, and applicable MS4 permit requirements (within the Williston city limits) (see also **Section 3.10**). Additionally, the NDGF has made several recommendations for avoiding and minimizing impacts, including restricting project activities from occurring

between April 15 and June 1 to protect the spawning period. Additional details are provided in **Section 4.2** and **Appendix I**.

Aquatic Nuisance Species
Construction equipment and additional traffic in the project area could pose a risk of the introduction of ANS, where there currently are no known occurrences. North Dakota Aquatic Nuisance Species Rules (ND ANS Rules) would be followed to minimize potential impacts; for example, equipment last used outside of North Dakota or within an NDGF Class I infested waterbody that will be used in a public waterbody requires inspections by the NDGF prior to construction within those aquatic areas (see also **Section 4.2**). These regulations are designed to prevent the introduction of undesirable species of plants and animals.

Wildlife
Alternatives D, G, and H may cross and/or interrupt existing wildlife corridors. Ground clearing may impact habitat for small birds, small mammals, and other species. Open grassland areas would be impacted. Temporary avoidance/displacement due to increased human activity and noise during construction may occur. Fragmentation of grassland habitat can detrimentally affect various wildlife species. However, the overall disturbance to wildlife would not be detrimental to wildlife habitat or species populations. Impacts to habitat would be minimal, as only a small portion of the corridor would occur in native habitat or riparian areas. Accommodations for wildlife in the bridge design, as feasible, will be considered. Impacts to habitat on USACE MU 111 and 113 are not anticipated. **Section 3.11** discusses impacts on wetland and OWUS. Wildlife are anticipated to adapt to changing conditions. Development of the Build Alternatives would not create impacts that are significant and is unlikely to cause any long-term adverse effects to wildlife.

3.13 THREATENED AND ENDANGERED SPECIES

Per Section 7 of the Endangered Species Act (ESA) of 1973, actions authorized, funded, or carried out by federal agencies must be reviewed for effects on endangered or threatened species. The following federally listed threatened and endangered species are known to occur in Williams County, ND: interior least tern, whooping crane, pallid sturgeon, gray wolf, piping plover, rufa red knot, and the northern long-eared bat. Piping plover designated critical habitat is also present in the County.

Interior Least Tern (Sterna antillarum)
The interior least tern was federally listed as endangered on May 28, 1985 (USFWS 1985a). Least terns are a bird generally restricted to larger meandering rivers with a broad floodplain, slow currents, and greater sedimentation rates due to the formation of suitable habitats. In North Dakota, the least tern is known to nest on midstream sandbars along the Missouri River System. The primary threat to least tern populations is habitat loss due to the construction of dams altering streamflow, human-caused disturbance/recreation, oil spills, agricultural runoff, and the presence of other environmental contaminants (WAPA and USFWS 2014).

Whooping Crane (Grus americana)
The whooping crane was federally listed as threatened with extinction in 1967 and endangered in 1970 (USFWS 1967, 1970), both listings were “grandfathered” into the ESA of 1973. There is no designated critical habitat in North Dakota, but the migration corridor approximately follows the Missouri River corridor through the midwestern United States. The migration period in North Dakota generally spans from April 1 through May 15 in the spring and from September 10 through October 31 in the fall each year (WAPA and USFWS 2014). The presence of suitable roosting and foraging habitat for whooping cranes in the project area and confirmed sightings in the County suggest the potential for the cranes to occur in vicinity of

the project during the migration periods. Loss and degradation of migration stopover habitat (cropland/wetland associations) have been a historical factor in the decline of the whooping crane and is not limited in North Dakota.

Pallid Sturgeon (Scaphirhynchus albus)
The pallid sturgeon was federally listed as an endangered species on September 6, 1990 (USFWS 1990). Pallid sturgeons require a free-flowing riverine habitat that is typical of historical conditions in the Missouri River. Primary threats to the species are a result of damming, channelizing, and diking of river systems that affect spawning and rearing habitats, restrict migration and alter conditions preferred by the pallid sturgeon. Increased sedimentation and water pollution may also alter the physical aspects of the aquatic habitat (WAPA and USFWS 2014). The project area is approximately two miles from the Missouri River/Lake Sakakawea, where marginal to potentially suitable habitat for pallid sturgeon exists.

Gray Wolf (Canis lupus)
The Northern Rocky Mountain and Western Great Lakes populations of the gray wolf have been delisted from the ESA. Gray wolves are occasionally sighted in North Dakota, but no known populations exist in the state (USFWS 2019). Wolves have no particular habitat preference, but they tend to avoid human developments. Primary threats to their existence are largely from interactions with humans due to the inability to adapt to or survive the spread of human development. Rural areas throughout North Dakota function as dispersal corridors for wolves.

Piping Plover (Charadrius melodus)
Listed as endangered on December 11, 1985 (USFWS 1985b), the piping plover (bird) shares habitat in North Dakota with the least tern and is also threatened by loss of habitat. Areas designated as critical habitat include only those areas that contain “primary constituent elements” (habitat requirements) for the essential lifecycle requirements of the species (WAPA and USFWS 2014). Alkali lakes and wetlands and the Missouri River System in North Dakota have been designated as critical habitat for the piping plover.

Rufa Red Knot (Calidris canutus rufa)
The rufa red knot (red knot) is a shorebird that was listed as threatened on December 11, 2014 (USFWS 2014). The red knot is a large, bulky sandpiper with an annual long-distance migration between breeding grounds in the north and non-breeding grounds in South America. Migration is dependent on the continued existence of quality habitat at key staging areas on the route (WAPA and USFWS 2014). In North Dakota, the red knot is considered to be a rare transient. There is little known about the use of stopover sites in the state; however, stopover sites would include habitat similar to those selected by the interior least tern and piping plover, and there has been documentation of use in the Northern Great Plains, including North Dakota. The migration period of red knots in the US is April 15 to August 30 (Newstead et al. 2013) and pathways typically follow coastlines. Threats to the red knot include sea-level rise, coastal development, shoreline stabilization, dredging, reduced food availability at stopover areas, and disturbance by human activity.

Northern Long-Eared Bat (Myotis septentrionalis)
The northern long-eared bat (NLEB) was listed as threatened on April 2, 2015 (USFWS 2015a), and a final rule identifying prohibitions focused on protecting sensitive life stages in areas affected by white-nose syndrome (WNS) was published on January 14, 2016 (USFWS 2016). WNS was identified as the overwhelming threat to the NLEB, and it was determined that regulating other sources of harm or mortality would not help conserve the species at this time. The rule focuses on protecting the bats when and where they are most vulnerable. The NLEB’s range includes much of the eastern and northcentral US, including the entire state of

North Dakota. The primary threat to the NLEB is WNS (USFWS 2013). Human disturbance impacts to hibernacula, loss or degradation of summer habitat, and wind farm operations are other sources of mortality (USFWS 2015b).

3.13.1 No Build Alternative

The No Build Alternative would not result in impacts on threatened or endangered species since the construction and operation of a new roadway would not occur.

3.13.2 Build Alternatives

The impacts on threatened and endangered species from Alternatives D, G, and H are anticipated to be comparable. Please refer to **Table 3-13**.

Table 3-13: Threatened and Endangered Species Effect Determinations

Species	Status(1)	Determination of Effects(2)
Interior Least Tern	E	NE
Whooping Crane	E	NLTAA
Pallid Sturgeon	E	NE
Gray Wolf	E	NE
Piping Plover	T	NE
Piping Plover Critical Habitat	-	NE
Rufa Red Knot	T	NE
Northern Long-Eared Bat	T	NE

(1) E = federally listed endangered; T = federally listed threatened
(2) NE = no effect; NLTAA = may affect, not likely to adversely affect

A Programmatic Biological Assessment (PBA) has been developed by the NDDOT and FHWA to analyze the effects of the NDDOT transportation program on threatened and endangered species within North Dakota. The intent of the PBA is to streamline the ESA Section 7 consultation process for transportation construction activities carried out by NDDOT and FHWA. The USFWS approved using the PBA process in Spring 2017. This project fits within the scope of the PBA, and a project submittal package was completed (Wenck 2018) to document compliance with Section 7 of the ESA. The PBA and project submittal package identify applicable standard and species-specific conservation measures for the protection of threatened or endangered species as it relates to the project. The effect determination as concluded for the species described in the previous section can be seen in Table 3-13 Threatened and Endangered Species Effect Determinations. The PBA and project submittal package were approved by the NDDOT on February 13, 2018, and is appended by reference.

Interior Least Tern (Sterna antillarum)
The proposed alternatives are greater than three (3) miles away from the main river channel of the Missouri River/Lake Sakakawea, are greater than one (1) mile from suitable nesting habitat, and are not within the line-of-sight of the project. Implementation of any of the Build Alternatives would have no effect on the least tern habitat since there is no suitable habitat for the species within 0.5 miles.

Whooping Crane (*Grus americana*)
The project area is located within the primary whooping crane migration corridor and potential stopover habitat is present, including USACE MU 111 and MU 113. Due to the high level of development in the area, potential foraging/roosting sites would not be considered high

quality due to the tendency of the species to avoid human development. If whooping cranes are present during construction, potential direct effects include habitat avoidance and expenditure of energy to find a more isolated stopover habitat. However, given the abundance of suitable stopover habitat within North Dakota, avoidance of the project area during construction is not anticipated to adversely affect the species.

Potential indirect effects on stopover habitat, such as surface water runoff and deposition of eroded soils in wetland areas, would be mitigated through the implementation of erosion control BMPs and conformance with the required applicable project permits. Another indirect effect is the creation of a new roadway where there was not one previously. This has the potential to fragment, modify, or remove potential stopover habitat for the whooping crane. However, given that the Williston area is already highly developed, potential stopover habitat is not high quality, and the loss of potential stopover habitats because of the project is relatively small compared to the large amount of suitable stopover habitat within the migration corridor in North Dakota.

In areas where above-ground utility lines would be vertically adjusted within one mile of suitable habitat, the lines would be marked within line markers (bird diverters) at a 1:1 ratio per linear foot to the relocated, raised or lowered utility line to minimize potential impacts to whooping cranes.

In the event a whooping crane is observed within one mile of the project, construction would cease until coordination with the USFWS occurs. Construction would not resume until the species has left the area, or appropriate avoidance/minimization measures are incorporated. Implementation of any of the Build Alternatives may affect but is not likely to adversely affect the species.

Pallid Sturgeon (*Scaphirhynchus albus)*
Although pallid sturgeon are present in Williams County, the project would not require in-water work within the Missouri River or in a direct tributary that is within 0.5 miles of the Missouri River. Additionally, erosion control devices would be installed, maintained, upgraded, and removed as needed before, throughout, and after roadway construction, thus minimizing sedimentation runoff into the tributaries of Lake Sakakawea. Due to the project location and proposed minimization measures, the project would have no effect on the pallid sturgeon.

Gray Wolf (*Canis lupus)*
Due to the project location, near the city limits of Williston and existing developments in the area, it is not anticipated that the gray wolf would be present in the project area during construction. Also, standard conservation measures would be implemented during the construction of the Build Alternatives; therefore, the Build Alternatives would have no effect on the gray wolf.

Piping Plover (Charadrius melodus)
All the Build Alternatives are greater than three (3) miles away from the main river channel of the Missouri River/Lake Sakakawea, greater than (1) one mile from suitable nesting habitat and are not within the line-of-sight of the project. Also, the project would not require in-water work within a critical habitat or adjacent to critical habitat on the Missouri River or designated alkali lakes or wetlands; therefore, implementation of any of the Build Alternatives would have no effect on the piping plover or piping plover critical habitats.

Rufa Red Knot (*Calidris canutus rufa)*
Since the red knot's habitat selection is like the interior least terns' and piping plovers', potential stopover habitat may be present along the Missouri River/Lake Sakakawea.

Implementation of any of the Build Alternatives would have no effect on the red knot since there is no suitable habitat for the species within 0.5 miles of the project.

Northern Long-Eared Bat (*Myotis septentrionalis)*
No suitable habitat (forested/wooded areas) for the NLEB would be impacted by the project, and therefore the species would not be exposed to direct or indirect effects. A no effect determination was made in the PBA, and no conservation measures were selected for this species.

3.14 CULTURAL RESOURCES

The NEPA environmental review process requires compliance with Section 106 of the National Historic Preservation Act (NHPA). Section 106 requires Federal agencies to consider the effects of Federally funded or Federally permitted projects (undertakings) on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on such projects prior to the expenditure of any Federal funds. Additionally, Federal agencies are required to consult on the Section 106 process with State Historic Preservation Offices (SHPO), Tribal Historic Preservation Offices (THPO) and Federally-recognized Indian Tribes. Section 106 documentation is provided in **Appendix G**.

Section 106 level identification efforts followed ND State Law and North Dakota State Historic Preservation Office (NDSHPO) permitting requirements. These requirements include levels of identification and minimum expectations. A Class I study was completed for the project area by compiling data from files of previous work and identified sites at the NDSHPO. Known resources and previous identification efforts were reviewed to ensure understanding of the known cultural environment. This was followed by a Class III intensive ground survey that included block survey and linear corridor survey. This effort began with an intensive ground survey of all uncultivated land in the project area to identify cultural sites for alternatives evaluation.

Once alternatives were developed, the corridors were also surveyed, including resurvey of corridors that crossed block survey areas as cultural sites can be difficult to see, depending upon light and vegetation. Survey of the entire alternative corridor, even in previously surveyed block areas was done to ensure identification of potential Section 4(f) properties prior to construction. The Class III study was completed by Beaver Creek Archaeology and Tribal Cultural Specialists (TCS) from the various Northern Plains THPOs. The TCS crew included specialists from the following THPO Offices:

- Cheyenne River Sioux Tribe
- Crow Creek Sioux Tribe
- Ft. Belknap Indian Community
- Fort Peck Assiniboine & Sioux Tribes
- Northern Cheyenne Nation
- Oglala Sioux Tribe
- Spirit Lake Nation
- Three Affiliated Tribes (Mandan, Hidatsa, and Arikara Nation)

In total, 280 new and updated sites, 20 site leads, and four isolated finds were located within the area surveyed by Beaver Creek Archeology (BCA) for the block and route surveys. These cultural resources included: 237 archaeological and cultural heritage sites and three potentially eligible historic sites for which avoidance is recommended. Please see the Williston Northeast Truck Reliever Route Survey: A Class III Intensive Cultural Resources Inventory in Williams County, North Dakota (BCA 2016a, 2016b) appended here by reference. **Table 3-14**

provides a summary of the different types of sites identified during cultural resource surveys. Each site was reviewed for potential NRHP listing based on the National Register Evaluation Criteria for Section 106.

Table 3-14: Types of Cultural Resources Sites

Type of Site	Definition
Eligible	Site may have significance in American history, such as events or people, religious property, birthplace or grave, cemetery, distinctive characteristics or other significance. Eligible sites are typically more than 50 years old. Site meets NRHP evaluation criteria and is eligible for listing on the NRHP.
Ineligible	Site was evaluated and does not meet NRHP evaluation criteria for listing.
Unevaluated, potentially eligible	Site was not evaluated for NRHP listing, and therefore its eligibility is currently unknown and may be potentially eligible for NRHP listing.
Site Lead	Resources that lack enough information to fully record and complete all necessary data fields on the site form are considered site leads. These site leads could be locations with surface visible artifacts which are likely to be a limited expression of a former occupation area where more of the artifacts are still buried or locations reported by a landowner or other non-professional, for example.
Isolated Find	A location of five or fewer artifacts and identified by an archaeologist as representing an area of very limited past activity may be recorded as an isolated find.

Forty cultural resources, including 26 previously recorded sites, seven previously recorded site leads, three previously recorded isolated finds, and four newly recorded sites were located within the Build Alternative corridors (Alternative D, G, and H). Since the routes partially overlap, these numbers include sites that are located on shared corridors. The following summarizes the total site count for each alternative:

- **Alternative D**: There are nine unevaluated sites, two ineligible sites, and portions of five site leads located within Alternative D. The sites that require avoidance in and near the route are small and dispersed.
- **Alternative G**: There are nine unevaluated sites, three ineligible sites, three isolated finds, and portions of three site leads located within Alternative G. The sites that require avoidance in and near the route are small and dispersed.
- **Alternative H**: There are 18 unevaluated sites, two ineligible sites, and portions of two site leads within Alternative H. The route runs near a dense concentration of large, unique sites that are located both the east and west of the alignment.

Abandoned mines can be considered historic sites; therefore, the historical aspect of these abandoned mines was included in the Northeast Truck Reliever Route Survey: A Class III Intensive Cultural Resources Inventory in Williams County, North Dakota (BCA 2016a) appended here by reference. There are coal deposits in the general area of the project and some known abandoned mines. The location of abandoned mines is poorly documented in Williams County, and therefore, a survey was completed to identify abandoned mines in the project area. Several abandoned mine sites were found during the cultural resources survey.

Two of these mine sites, located along Alternative H, are unevaluated for the NRHP (BCA 2016a).

3.14.1 No Build Alternative

The No Build Alternative was evaluated for cultural resources. Evidence of two unevaluated sites, five ineligible sites, and eight sight leads were found within the survey corridor (BCA 2016b). Since the No Build Alternative would not create any disturbances, no impacts would occur.

3.14.2 Build Alternatives

The construction of Alternatives D, G, and H would avoid all identified cultural resources that are *unevaluated* or *eligible* for listing on the NRHP. For unevaluated sites within the survey corridor, the NDDOT will determine specific avoidance measures if the sites and/or features are within the right-of-way but outside the limits of construction. If the sites are avoided, ND SHPO has concurred with a finding of *No Historic Properties Affected* for the Build Alternatives (**Appendix G**).

Additionally, the Lake Sakakawea/Garrison Dam Project USACE Archaeologist would be given the opportunity to monitor construction activities on USACE lands, and archaeological monitoring would occur in areas that have the potential to contain deeply buried cultural resources (based on analysis of soil characteristics). An inadvertent discovery plan would be in effect during construction to guide the response to the identification of any unanticipated cultural resources discoveries above or below ground.

3.15 REGULATED MATERIALS

The NDDEQ maintains a database that provides information on storage tanks, environmental spill incidents, and regulated waste. There is one known active underground storage tank (UST) (Love's Travel Stop) and no leaking underground storage tanks (LUST) in the project area. There are no regulated waste sites within the immediate vicinity of the Build Alternatives. The NDDEQ identified eight environmental spills that have occurred in the past 11 years near the Build Alternative corridors (**Appendix K**). These spills primarily involved trucks hauling materials related to the oil and gas industry (e.g., crude oil and diesel fuel). Only one of these spills was located within a portion of proposed project activities; the spill was a vehicle accident in 2014 on the CR 6 bridge over the Little Muddy River involving approximately 100 gallons of diesel fuel. All other incidents occurred outside of the Build Alternative corridors. All the identified spill incidents were remediated, and materials appropriately disposed of correctly.

3.15.1 No Build Alternative

Under the No Build Alternative, these regulated waste sites would not be impacted by land disturbance activities. No USTs or LUSTs would be impacted. The potential for impacts from hazardous materials spills would remain due to the continued use of the No Build Alternative as a truck reliever route.

3.15.2 Build Alternatives

Land disturbance activities associated with the construction of Alternatives D, G, and H would not impact regulated waste sites, USTs, or LUSTs. Regulated materials would be transported by haul trucks on the project. Haul truck activity has the potential to result in spills, which

would be reported, contained, and remediated per appropriate regulations. No measures are required to avoid, minimize, or mitigate impacts from the project.

3.16 VISUAL IMPACTS AND AESTHETICS

The characteristics of the landscape in a given area determine the visual and aesthetic resources that exist. Visual resources can include both natural and human-made. Impacts to visual and aesthetic resources are dependent on the change that occurs from the existing conditions compared to the surrounding landscape and compatibility of that change with its surroundings. The viewshed is comprised of variable topography (e.g., relatively flat terrain to steep slopes) with undeveloped areas, such as agricultural land, grassland, wetland, drainage areas, and developed areas including existing roadways, residences, oil and gas-related features, several businesses, and the BNSF rail line.

Most development in the project area occurs along existing CR 6 and CR 9. Development of residences and other structures, including developed oil pads, access roads, and related features, have changed the viewshed over time. Such development has also caused increased traffic along existing roadways, which has resulted in the use and creation of the temporary NE TRR and local gravel roadways to support the oil and gas industry.

3.16.1 No Build Alternative

The No Build Alternative would not involve project construction, and therefore would not impact visual or aesthetic resources in the project area. There would not be permanent visual impacts from road construction. Future development in the area would alter the visual character, especially if development occurs in areas not currently developed.

3.16.2 Build Alternatives

The Build Alternatives would result in temporary and permanent impacts to the visual resources in the project area. Construction and use of a new roadway in the project area would further the changes to the viewshed. Temporary impacts would occur during construction due to the use of earthmoving equipment, haul trucks, and other construction equipment to complete excavation and road construction activities. Project construction would be completed in stages and impacts from the Build Alternatives would be temporary.

The Build Alternatives would cause visual impacts from the introduction of a major highway into the rural landscape; however, these changes would occur over time and be consistent with other development, such as oil pads and access roads being constructed in the project area. New crossings would be required for Alternatives D, G, and H at Stony Creek, the BNSF rail line, and the Little Muddy River. Additionally, there would be several tributary streams and drainages where new crossings would create a visual impact. New crossings are discussed in **Section 3.13**.

Truck traffic along the temporary NE TRR would have the option to use the Build Alternative, and therefore may reduce the visual impact to residences and businesses that currently occurs along CR 9. This would shift visual impacts due to truck traffic from the more developed area to the rural areas closest to the project. However, there is currently some truck traffic along gravel roadways within the project area to access developed oil well facilities. Gravel roads also serve to provide access to rural homesteads and farms in the area.

To generally assess the visual impact to the project area from each Build Alternative, a baseline viewshed analysis was completed using GIS and existing topographic elevations. This

analysis was meant to serve as a generalization of where portions of a new roadway may be visible from points within the project area. The analysis did not consider existing vegetation or significant elevation changes, such as valleys, existing oil pads and associated features, residences and farm-related structures. These features may screen or interrupt the line of sight to the project from a given vantage point.

Based on the viewshed analysis, the northwestern side of the project area tends to have a higher elevation than the southwest and eastern sides. This increases the likelihood that portions or points along the proposed alignment and/or trucks using the roadway would be visible from more vantage points on the northwestern side of the project area. These vantage points are primarily to the west and north of the project, closer to Williston and more populated areas. The sparsely populated eastern portion of the project area is not as likely to be readily able to view the Alternative H corridor. Vantage points adjacent to and near the project, such as rural homes or farmsteads, would also have an increased likelihood of being able to see portions or points along the project and/or trucks using the roadway depending on surrounding vegetation or other screening that may or may not exist at that vantage point.

All Build Alternatives include the removal of the CR 6 bridge and construction of a new bridge over the Little Muddy River just downstream of the existing CR 6 bridge. The construction of the new bridge and associated intersection would be a visual impact to homesteads and businesses in proximity to this area, located approximately one-quarter mile or less from the construction area. Structures near the Build Alternatives include two homes and a commercial business along CR 9, and one home west of the Little Muddy River. Additionally, all Build Alternatives would also include reconstruction of CR 6 at the intersection of 135th west of the Little Muddy River where a residential home is near the existing roadway. This home would have visual impacts from the project due to the reconstruction and expansion of this segment of roadway.

In the central part of the project area, all three Build Alternatives would be constructed within approximately one-quarter mile of rural homesteads located in Section 33. There is one gravel road currently located in this area; therefore, the project would cause a visual change on the landscape with the addition of the proposed project. Fill is anticipated in this area for Alternatives G and H due to elevation changes with the ravines. However, the homesteads are located at approximately the same elevation as the Build Alternatives in the rest of the area.

Near the intersection of Alternative H and ND Hwy 1804, there are several homesteads located to the west of the proposed roadway near 132nd Lane NW. Two of these homesteads would likely have a clear view of Alternative H to the east, which would result in a visual impact to these residences.

3.17 ENERGY

Energy impacts are primarily related to the energy requirements for the construction and operation of the project. Direct energy impacts are associated with the amount of energy consumed by the operation of vehicles using the roadway. Additionally, direct energy impacts may occur within the project area from effects to utilities and other energy-related facilities. Indirect impacts on energy include short-term energy use for construction.

Consumption of gasoline and diesel fuel is the primary type of energy usage that would be affected by the project. Fuel consumption would occur at various levels depending on the vehicle type and level of traffic in the project area. More fuel is used when travel involves high levels of traffic congestion, steep grade changes, frequent starts and stops, and longer travel

routes. The temporary NE TRR has steep grades and access points and intersections along the route that can require changes in speeds to account for merging traffic.

In addition to transportation-based energy consumption, residences and businesses in the project area use electricity and natural gas for power and heat. Some residences and businesses may use alternate energy sources such as wind turbines, solar panels, or wood-burning and other materials.

There are also several utilities and other energy-related infrastructure that have the potential for impacts in the project area. These include electric lines, water lines, and oil exploration and production.

3.17.1 No Build Alternative

Energy impacts would occur with the No Build Alternative as additional fuel is consumed when traffic levels and traffic congestion increase. No other energy impacts are anticipated from the No Build Alternative.

3.17.2 Build Alternatives

Construction of Alternatives D, G, or H would result in a temporary increase in fuel and energy consumption. Construction would require the use of heavy equipment and haul trucks. Construction would occur over multiple construction seasons.

Existing traffic volumes would not change due to the project but would be dispersed to a different location (e.g., the permanent NE TRR). However, traffic volumes in the Williston area are projected to increase in the future, which would occur regardless of project construction. Traffic congestion through the City and along the temporary NE TRR would be alleviated. Construction of a build alternative would result in a temporary increase in energy consumption during construction but is anticipated to result in a long-term overall net decrease in energy consumption as Alternative D, G, or H would improve the flow of traffic in the Williston area.

No mitigation is required for potential impacts on energy from the project.

3.18 CONSTRUCTION

Construction activities have the potential to temporarily impact the project area from the use of heavy machinery, land clearing and excavating, and other road construction-related activities.

The project would include activities typically associated with new road construction, such as land clearing, grubbing, topsoil removed and separation into stockpiles, and reclamation of the temporary use areas to pre-construction conditions. These activities include temporary construction impacts within the permanent ROW and temporary construction easements. Heavy machinery, haul trucks, and other equipment would be used to construct the project, which would potentially cause temporary, localized noise, odors, and dust impacts to adjacent properties. Wetland mitigation sites would also have temporary construction impacts. Materials that may be needed for construction, such as rock riprap or borrow, would be evaluated as part of the NDDOT Material Source Approval process.

According to the North Dakota Geological Survey (NDGS) webpage, there are coal deposits throughout the project area. No operating coal mines are located within the project corridors, however there are several abandoned mines located near the Build Alternatives. There are

also several operating oil wells and other related facilities in the project area. These would be avoided by the Build Alternatives.

3.18.1 No Build Alternative

No construction activities would be involved with the No Build Alternative; therefore, no impacts are anticipated.

3.18.2 Build Alternatives

General construction impacts would be similar for all Build Alternatives except for the magnitude of impacts due to different alternative lengths. The following provides a discussion on the general construction impacts associated with each Build Alternative.

Temporary impacts would occur within the ROW of the project for equipment and materials staging areas. Impacts would also occur in designated wetland mitigation sites. Borrow sites would be located outside of the ROW and would be evaluated as part of the NDDOT Material Source Approval process.

Coal is anticipated to be encountered during excavations along the project corridor. Proper coal disposal techniques would be incorporated into the proposed project. Excavated coal would be disposed of within the NDDOT right-of-way outside of the roadway surface and cut/fill slope and have two feet of compacted soil and six inches of topsoil placed over it. Potential coal waste locations would be located within the project NDDOT proposed ROW. Waste material (i.e., coal or other waste) would be disposed of in accordance with state and federal laws and in a manner that avoids impacts to waterbodies and riparian areas.

A NDPDES Permit from the NDDEQ prior to construction would be required for the project. The NDPDES Permit requires a plan for erosion and sediment control.

MS4 permit requirements regulating stormwater discharges would also apply within the Williston city limits.

As previously discussed in **Section 3.1.2**, cut/fill balancing and USACE permission would be required for new bridge construction over the Little Muddy River. Alternatives D, G, and H could temporarily impact the Little Muddy River (OW 1g) and Stony Creek (OW 16e) due to the construction of new bridges. The existing CR 6 bridge in Section 19 (Township 155, Range 100), crossing the Little Muddy River, would be demolished and a section of pavement east to the intersection of CR 9 would be removed. Access to adjacent properties would be maintained, but potentially reconfigured. Proper steps would be taken to minimize the temporary effects of construction. After construction, the existing landscape would be reclaimed to natural uses. Impacts to wetlands and OWUS are further discussed in **Section 3.11** and **Section 3.12** discusses waterbodies and waterbody crossings within the project area.

Temporary impacts to air quality may occur during construction from heavy equipment use and dust generated during site preparation. The extent of potential impact is dependent upon the level of construction activity and the weather conditions in the area. Dust control measures would be used to minimize dust in accordance with NDDOT-approved procedures. Emissions caused by heavy equipment are regulated by federal and state standards, and it would be the responsibility of the contractor to comply with exhaust and equipment maintenance requirements. If necessary, the burning of materials, such as cleared trees,

during site preparation would occur in accordance with applicable state and local regulations through the proper permitting process.

Construction would result in temporary increases in noise levels within the vicinity of the proposed project. Noise would be generated primarily from heavy equipment used to transport material and to construct the new roadway. Measures to control noise emissions during construction would include equipping vehicles and equipment with properly operating noise mufflers, proper equipment maintenance, and avoiding equipment idling when not in use, as feasible. Construction-related activities would likely be limited to daylight hours; however, 24-hour construction may be required to meet project deadlines. This would be dependent on the needs of the contractor.

Temporary impacts to traffic may occur where existing roads would be intersected by the project. There may be temporary delays along these roadways until the intersection improvements are completed.

Impacts would be avoided or minimized to the extent possible. All activities would occur in compliance with necessary construction permits (presented in **Section 4.2.1**, **Table 4-1**). BMPs would also be used to minimize impacts. Traffic delays would be kept at a minimum to the extent possible.

3.19 IMPACT CATEGORIES NOT RELEVANT TO PROPOSED ACTION

3.19.1 Pedestrians and Bicyclists

No developed pedestrian or bicyclist facilities exist within the project area that would be affected by the project. Additionally, the project does not propose to develop these types of facilities.

3.19.2 Wild and Scenic Rivers

No wild and scenic rivers exist within the project area.

3.19.3 Coastal Barriers

No coastal barriers exist within the project area.

3.19.4 Coastal Zone

No coastal zones exist within the project area.

3.19.5 Relocations

No residential relocations are anticipated as part of the project. As discussed in **Section 3.1.2**, Knife River Corporation would potentially be impacted by the project; however, no relocation of this property is anticipated. During project design, options would be explored with the landowner to minimize potential impacts to their property and operations.

3.19.6 Section 6(f)

No Section 6(f) properties are located in the project area.

3.20 CUMULATIVE IMPACTS

Cumulative effects result from the incremental environmental impact or effect of a proposed action “when added to other past, present and reasonably foreseeable actions regardless of what agency or person undertakes such other actions” (40 CFR 1508.7). Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time. Evaluation of the project's impacts on the impact of other actions provides an estimate of potential cumulative effects. The following discussion on cumulative effects only applies to the Build Alternatives for the project. The geographic scope of the analysis considers projects within the Williston area or projects that could directly or indirectly impact the same resources as the project.

3.20.1 Actions

Several activities have recently occurred (Past Actions), are occurring (Present Actions) or are planned for future development (Future Actions) in and nearby the community of Williston. In general, the Williston region has been developing at an increased rate in the recent past due to the oil and gas industry. This development has included numerous infrastructure projects, such as roadways, access roads, pipelines, and other utilities, as well as residential, commercial, and industrial development to support the demand which has been primarily generated by the oil and gas industry. **Figure 12** shows the past, present and reasonably foreseeable projects in the Williston area that were considered as part of the cumulative impacts analysis for this EA.

Figure 12: Projects in the Williston Area Considered for Potential Cumulative Impacts

Recent Past Actions
Recent past actions include the construction of the Williston NW TRR (US 85), completed in 2015, US 85 improvements between Watford City and Williston, completed in 2017, and additional roadway maintenance and improvement projects in the area, such as ND 1804 roadway improvements and City of Williston Main Street reconstruction, both completed in 2017.

The US 85 corridor has undergone extensive environmental review and roadway construction activities. The potential cumulative effects from the US 85 corridor projects were evaluated in the US 85 Environmental Assessment/Finding of No Significant Impact (NDDOT 2014). For the purposes of this cumulative effects analysis, the focus was on projects in close proximity to the proposed project area, as shown in **Figure 12**, which included the Williston NW TRR and the US 85 project between McKenzie County Road 16 and the junction of US 2 in McKenzie and Williams Counties, North Dakota.

- US 85 between McKenzie County Road 16 and the junction of US 2 in McKenzie and Williams Counties, North Dakota - The project consists of modifying the existing roadway to four lanes and replacing the Lewis & Clark Bridge over the Missouri River near Williston, which includes crossing USACE lands.

Present and Future Actions
Present and future actions have already or may result in changes in traffic patterns or conversion of land from agricultural or undeveloped to developed. There are numerous oil and gas developments, agricultural operations and gravel mining operations in the Williston area. Although new oil and gas development has recently slowed in the Williston area, existing facilities are anticipated to continue operating, and may begin to develop new well pads as market conditions warrant. New well pads would include construction, access roads, utility lines, and well pad-related facilities. There are also residential and commercial developments occurring in and near the Williston city limits that are converting undeveloped land. City and County plans have outlined infrastructure, city street and roadway improvements, and improved sidewalks and trails in the community.

The City has a Capital Improvements Plan that identifies several projects that are planned within the Williston city limits. There are no known building projects near the intersections of the Build Alternatives. However, there are ongoing transportation projects in the Williston area. These include improvements to ND 1804 (e.g., widening, paving, adding lanes), ongoing maintenance to the existing local roadway system, local infrastructure projects, and other NDDOT construction projects. A significant planned infrastructure project is the relocation of Sloulin Field International Airport (USDTFAA 2015), as shown in **Figure 12**. This project was completed in October 2019. The project involved the decommissioning of the existing Sloulin Field International Airport (ISN) and construction, operation and maintenance of a new airport located approximately six miles north and five miles west of Williston. The new terminal building is located approximately 2.5 miles west from US 2. The new airport is called the Williston Basin International Airport. The project required the acquisition of 1,560 acres of undeveloped land for the construction of access roads, runways, taxiways, aprons, and various airport structures, and the installation of navigational aids to meet FAA design standards for ARC D-III aircraft.

These recent past, present, and future actions have influenced the current condition of the region, and therefore, have contributed to cumulative effects. Each project was reviewed in some way, obtained any required approvals, and mitigated for impacts if required. For the purposes of evaluating the cumulative effects of the proposed project, several infrastructure

projects were identified for evaluation due to the type and magnitude of potential impacts related to transportation in the Williston area.

3.20.2 Potential for Cumulative Effects

There are several resources that would not be affected by the project and therefore are not included in the cumulative effects analysis: floodplains and regulated waste. Resources that would be impacted by the project, including those with minor effects, have the potential for cumulative effects and therefore are included in the cumulative effects analysis. Each resource was evaluated for impacts from the project and known impacts from the Williston NW TRR, US 85, and Sloulin Field International Airport (recent past, present and future actions) were considered for potential cumulative effects. Impacts from past actions have generally resulted in the existing conditions and are not a primary focus of the discussion.

Land Use
The project would result in the conversion of existing land use to highway use. The project also has the potential to result in residential and commercial development along the Build Alternative corridor that may not otherwise occur in the reasonably foreseeable future. The proposed project would provide a new transportation corridor in a currently rural area. This would allow for access to areas that are not currently served by a major highway, which could attract development and land use, beyond the existing rural homesteads and oil and gas facilities, which may not otherwise occur in the foreseeable future. Although driven by the economy, new development may occur at a faster rate due to the ability to access areas near the proposed project, resulting in additional land disturbance beyond that identified for the proposed project. Williams County has a comprehensive plan and administers zoning and permitting, which is intended to manage development and the conversion of land use.

Cumulative effects on land use would be expected from land conversion and past, present and reasonably foreseeable projects, which would result in a total of approximately 2,550 acres of permanent land acquisition and conversion. Most of the land conversion acreage was due to the Sloulin Field International Airport project. These projects have been identified and approved in existing plans and ordinances to be consistent with the current land uses within the city limits and adjacent rural areas of the project.

Section 4(f)
The project includes the removal of the CR 6 bridge, which would avoid impacts to MU 113, a Section 4(f) property, by keeping project activities within the existing right-of-way, and therefore, cumulative effects are not anticipated on Section 4(f) property.

Farmland
Cumulative effects on prime farmland would be expected due to its conversion by the project and other past, present and foreseeable projects. The estimated prime farmland conversion that is known totals approximately 1,920 acres; however, most of the converted farmland acreage is due to the Sloulin Field International Airport project. If growth and development occur due to access to rural areas from the proposed project, additional farmland would be converted to other land uses. Relative to the overall quantity of farmland in this region of North Dakota, cumulative effects from the loss of farmland are not anticipated to be significant since the projects do not exceed the allowable Farmland Conversion Impact Rating level.

Social, Economic and Environmental Justice

The project would have impacts on the rural character of some portions of the project area, such as creating a new route through areas that are currently undeveloped or have little development. The project would also reduce traffic congestion in the City and allow for better traffic flow and access to community services and businesses. Reasonably foreseeable development will also affect the rural character of the project area. It is anticipated that development will be managed through County plans and ordinances. Cumulative effects on the rural character of the project area are not anticipated to be substantial. Cumulative effects from construction of the project and past, present and reasonably foreseeable transportation projects in the area, on the social and economic resources in the area, are anticipated to be beneficial for the community. The total project cost for projects identified for cumulative effects analysis is approximately $509 million, which would result in the purchase of goods and services and provide jobs in the region. The project is not anticipated to impact a specific economic class or race; therefore, cumulative effects related to environmental justice are not anticipated.

Public Services and Infrastructure

The project would provide a main corridor for use by emergency services through the rural portions of the project area that are currently served by gravel roadways. Project construction would cross several locations with utility infrastructure and existing roadways. Reasonably foreseeable projects will also impact utility infrastructure and existing roadways with construction and will also affect traffic patterns in the area. The Williston NW TRR Route is designed to ease traffic congestion. Other improvements to area roadways and infrastructure will have temporary impacts during construction but are anticipated to result in potentially beneficial cumulative effects by providing an improvement to the transportation system in the Williston area. Utility modifications and relocations would be coordinated with the appropriate company. No cumulative effects are anticipated.

Air Quality

The project is anticipated to relieve traffic congestion through the City, which would reduce temporary and intermittent releases of combustion emissions and fugitive emissions, and therefore result in potential improvements to air quality. Cumulative effects to air quality are not anticipated.

Noise

The project would result in changes in noise levels in portions of the project area. Receivers near the project would have increased permanent noise levels compared to existing conditions. The Williston NW TRR also changed traffic patterns and introduced greater numbers of vehicles traveling at higher rates of speed to a rural area on the west side of town. The NE TRR project was modeled and shows receivers that are approaching or exceeding the FHWA NAC criteria. Cumulative effects to noise levels would be expected due to the introduction of new noise sources in the project area.

Water Quality

Potential impacts from the project would include stormwater runoff, sedimentation through erosion, and potential contamination through spills. BMPs would be used to avoid and minimize potential impacts. Reasonably foreseeable projects will also require BMPs and other permitting requirements to avoid and minimize potential impacts to water quality. Through the implementation of BMPs and other permitting requirements, cumulative effects to water quality are not anticipated.

Wetlands and Other Waters of the U.S.
The project would result in approximately 4.4 acres of permanent wetland impacts. Past and reasonably foreseeable future projects will also permanently impact approximately 29.1 acres of wetlands and OWUS; therefore, cumulative effects on wetlands and OWUS would be expected. This is a total of approximately 33.5 acres of permanently impacted wetlands/OWUS is small in comparison to the watersheds where the impacts are located: Lake Sakakawea (10110101) watershed (total watershed size is 4,344,320 acres) and the Little Muddy (10110102) watershed (total watershed size is 595,840 acres). Potential development, as a result of the project providing better access into a currently rural area, may result in additional wetland impacts that would be reviewed by the permitting authority and mitigated as applicable. Temporary impacts would also occur, including removal of temporary fill material and restoration of pre-construction contours. Overall impacts to the watershed would be offset by compliance with the USACE Section 404 regulations and implementation of mitigation measures, including compensatory mitigation for permanent impacts (e.g., onsite wetland creation, offsite wetland creation and/or utilizing wetland mitigation bank credits).

Vegetation/Land Cover Types
The project would disturb currently undeveloped land. Disturbance has the potential to introduce noxious weeds. BMPs and other measures would be implemented to reduce the spread of noxious weeds, and reclaim and maintain areas to NDDOT standards. Past, present and reasonably foreseeable projects will have similar effects in the area and would be required to implement measures to avoid and minimize impacts due to ground disturbance. Cumulative effects to vegetation would occur by conversion of land cover types but are not anticipated to be significant as measures would be implemented to restore disturbed areas and control noxious weeds.

Waterbody Modification, Fisheries, and Wildlife
The project would result in waterbody modification through the construction of nine additional crossings of various sizes, including culverts and bridges. These crossings have the potential to result in temporary, localized impacts to fisheries. The project would also create a new roadway that may disconnect and disturb existing wildlife corridors and habitat. Past and reasonably foreseeable projects would have similar impacts to wildlife and wildlife habitat, including a total of 32 culvert installations or modifications and stream alterations. These waterbody modifications have the potential to disturb wildlife and impact nesting and foraging habitat. BMPs and other measures, such as revegetating disturbed areas, will be used to minimize impacts to wildlife and wildlife habitat. There is significant habitat surrounding these project areas for wildlife to use if they become temporarily or permanently displaced. Cumulative effects are not anticipated to be significant.

Threatened and Endangered Species
There are no cumulative impacts anticipated on the gray wolf, northern long-eared bat, interior least tern, piping plover, rufa red knot, Dakota skipper, pallid sturgeon, or piping plover critical habitat since the Build Alternatives are anticipated to have "*no effect"* on these species. The Build Alternatives *may affect but are not likely to adversely affect* the whooping crane; however, no cumulative impacts are anticipated as conservation measures would be implemented for the whooping crane for projects identified which would avoid and minimize potential impacts.

Cultural Resources
The project, and past, present, and reasonably foreseeable projects would not impact cultural resources that are *eligible* or *unevaluated* for listing on the NRHP. In addition, a plan would be in place to protect cultural resources inadvertently discovered during construction activities

associated with these projects; therefore, cumulative impacts are not anticipated for projects completed by local, state, or federal agencies. However, the project would provide access to rural, undeveloped areas near the corridor that may allow for development and additional land disturbance on private land by private developers, and could result in potential impacts to cultural resources.

Visual Impacts and Aesthetics
The project would result in temporary and permanent impacts to the visual resources in the project area. The project would primarily impact rural homesteads and farms closest to the new roadway. Past, present, and reasonably foreseeable projects will result in additional development in rural areas. Residences and other existing development will experience the most visual impacts. The area around Williston has been developing at an increased rate over the past decade and has resulted in changes to the landscape. The degree of visual impacts is subjective and dependent on an individual's vantage point. The project and past and reasonably foreseeable projects are consistent with the current development patterns and plans in the area and therefore are not anticipated to result in substantial cumulative effects on the visual aesthetics in the area.

Energy
The project has the potential to reduce energy consumption by improving traffic flow through the City. Past, present, and reasonably foreseeable transportation projects will likely have similar effects. Cumulative effects on energy consumption in the project area are not likely to be adverse.

3.21 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Construction of a new roadway requires the use of land, natural resources, labor, materials, and fiscal resources. Land, primarily undeveloped, would be acquired for ROW and converted to a roadway as part of a larger transportation system. The use of the land is considered an irreversible commitment during the time that the land is used for a roadway. It is likely that once the project is constructed, the land will remain such a facility. However, if a greater need arises for the use of the land or if the roadway is no longer needed, the land could be converted to another use.

A large quantity of fossil fuels, labor, and construction materials, such as steel, concrete, aggregate, and bituminous material would be used to construct the project. Labor and natural resources would be used to produce and prepare the construction materials. These materials are generally not retrievable, readily available, and not considered to be in short supply. The use of these materials would not result in an adverse effect.

Public funds would be used for the construction of the project. These funds are not retrievable. Based on the purpose and need for the project, as discussed in **Chapter 1**, the use of these funds would address several needs in the Williston area to reduce traffic through town and address vehicle capacity needs in the regional transportation system. An improved transportation system has the potential to provide beneficial effects to residents in the immediate area, state, and region. The anticipated beneficial effects would offset the irretrievable commitment of resources.

3.22 SUMMARY

Four alternatives were evaluated in the EA: three build alternatives and the no build alternative. **Table 3-15** provides a comparison of impacts for each alternative. Alternative H was identified as the preferred alternative for the project (**Appendix B**).

Table 3-15: Comparison of Impacts

	No Build Alternative	Alternative D	Alternative G	Alternative H
Land Use	*Public Lands and Resources:* Additional impacts could occur as traffic levels increase.	*Public Lands and Resources:* Bridge construction across the Little Muddy River and USACE Flowage Easement FF-2911-E	*Public Lands and Resources:* Bridge construction across the Little Muddy River and USACE Flowage Easement FF-2911-E; Approximately 3.5-acre easement across School Trust Lands	*Public Lands and Resources:* Bridge construction across the Little Muddy River and USACE Flowage Easement FF-2911-E; Approximately 50-acre easement across School Trust Lands
	Acquisitions and Relocations: No acquisitions and relocations would be needed.	*Acquisitions and Relocations:* No residential relocations are anticipated.	*Acquisitions and Relocations:* No residential relocations are anticipated.	*Acquisitions and Relocations:* No residential relocations are anticipated.
	Land Use: New development could occur within the guidelines of existing ordinances.	*Land Use:* New development could occur within the guidelines of existing ordinances.	*Land Use:* New development could occur within the guidelines of existing ordinances.	*Land Use:* New development could occur within the guidelines of existing ordinances.
Floodplains	No new impacts would occur.	No impacts would occur.	No impacts would occur.	No impacts would occur.
Farmland	No new impacts would occur.	Approximately 355.0 acres total impacts; 14.9 acres designated Prime Farmland.	Approximately 337.3 acres total impacts; 19.9 acres designated Prime Farmland.	Approximately 275.0 total impacts; 9.3 acres designated Prime Farmland.

	No Build Alternative	Alternative D	Alternative G	Alternative H
Social, Economic and Environmental Justice	Continued traffic congestion which could impact businesses along congested areas.	Could influence potential development; could benefit businesses in currently congested areas.	Could influence potential development; could benefit businesses in currently congested areas; approximately 3.5 acres of School Trust Lands impacted.	Could influence potential development; could benefit businesses in currently congested areas; approximately 50 acres of School Trust Lands impacted.
Public Services and Infrastructure	Potentially slower public service time due to congestion; increased maintenance as road use increases.	Potentially improved public service time within City due to reduced congestion; Project would cross existing infrastructure.	Potentially improved public service time within City due to reduced congestion; Project would cross existing infrastructure.	Potentially improved public service time within City due to reduced congestion; Project would cross existing infrastructure.
Air Quality	No new impacts would occur.	Impacts are anticipated to be negligible in the alternative corridor and potentially beneficial within the city limits.	Impacts are anticipated to be negligible in the alternative corridor and potentially beneficial within the city limits.	Impacts are anticipated to be negligible in the alternative corridor and potentially beneficial within the city limits.
Noise	No new impacts would occur.	One site would approach and one site would exceed thresholds at which noise abatement must be considered.	One site would approach and one site would exceed thresholds at which noise abatement must be considered.	One site would approach and two sites would exceed thresholds at which noise abatement must be considered.
Water Quality	No new impacts would occur.	Waterbody crossings on the Little Muddy River, Stony Creek, and other tributaries and drainages	Waterbody crossings on the Little Muddy River, Stony Creek, and other tributaries and drainages	Waterbody crossings on the Little Muddy River, Stony Creek, and other tributaries and drainages
Wetlands and Other Waters	No new impacts would occur.	Wetlands (ac): Approximately 0.39 temporary impacts and permanent impacts of 3.61 (fill/drain), 0.67 (cut). OWUS (ac): 0.27 permanent, 0.20 temporary	Wetlands (ac): Approximately 0.42 temporary impacts and permanent impacts of 3.74 (fill/drain), 0.67 (cut). OWUS (ac): 0.27 permanent, 0.20 temporary	Wetlands (ac): Approximately 0.44 temporary impacts and permanent impacts of 3.72 (fill/drain), 0.67 (cut). OWUS (ac): 0.51 permanent, 0.20 temporary

	No Build Alternative	Alternative D	Alternative G	Alternative H
Vegetation/Land Cover Types	No new impacts would occur.	Impacts would occur from construction; primary impacts would be to grassland/ herbaceous and cultivated crop cover.	Impacts would occur from construction; Primary impacts would be to grassland/ herbaceous and cultivated crop cover.	Impacts would occur from construction; Primary impacts would be to grassland/ herbaceous and cultivated crop cover.
Waterbody Modification, Fisheries, and Wildlife	No new impacts would occur.	Impacts could occur from bridge construction and could create habitat fragmentation. BMPs and Mitigation would minimize impacts.	Impacts could occur from bridge construction and could create habitat fragmentation. BMPs and Mitigation would minimize impacts.	Impacts could occur from bridge construction and could create habitat fragmentation. BMPs and Mitigation would minimize impacts.
Threatened and Endangered Species	No new impacts would occur.	No effect to interior least tern, pallid sturgeon, piping plover, piping plover critical habitat, rufa red knot, gray wolf, and northern-long-eared bat. Route may affect, but is not likely to adversely affect, the whooping crane. Standard and species-specific conservation measures will be implemented for mitigation.	No effect to interior least tern, pallid sturgeon, piping plover, piping plover critical habitat, rufa red knot, gray wolf, and northern-long-eared bat. Route may affect, but is not likely to adversely affect, the whooping crane. Standard and species-specific conservation measures will be implemented for mitigation.	No effect to interior least tern, pallid sturgeon, piping plover, piping plover critical habitat, rufa red knot, gray wolf, and northern-long-eared bat. Route may affect, but is not likely to adversely affect, the whooping crane. Standard and species-specific conservation measures will be implemented for mitigation.
Cultural Resources	No new impacts would occur.	No effect on cultural resources that are *eligible* or *unevaluated* for listing on the NRHP. Plan to protect any cultural resources inadvertently discovered during construction activities.	No effect on cultural resources that are *eligible* or *unevaluated* for listing on the NRHP. Plan to protect any cultural resources inadvertently discovered during construction activities.	No effect on cultural resources that are *eligible* or *unevaluated* for listing on the NRHP. Plan to protect any cultural resources inadvertently discovered during construction activities.
Regulated Waste	No new impacts would occur.	No impacts are anticipated.	No impacts are anticipated.	No impacts are anticipated.

	No Build Alternative	Alternative D	Alternative G	Alternative H
Visual Impacts	No new impacts would occur.	Introduction of new roadway on landscape; visible from approximately 71% of the project area.	Introduction of new roadway on landscape; visible from approximately 66% of the project area.	Introduction of new roadway on landscape; visible from approximately 60% of the project area.
Energy	No new impacts would occur.	Impacts would occur from energy consumption during construction and from traffic along the corridor.	Impacts would occur from energy consumption during construction and from traffic along the corridor.	Impacts would occur from energy consumption during construction and from traffic along the corridor.
Construction	No impacts would occur.	Temporary impacts to waterbodies, air quality, and noise levels would occur during construction.	Temporary impacts to waterbodies, air quality, and noise levels would occur during construction.	Temporary impacts to waterbodies, air quality, and noise levels would occur during construction.

4.0 Public Involvement and Consultation

Public involvement to a practicable extent is required for the NEPA process as stated in the CEQ NEPA Regulations 40 CFR Parts 1501.4(b) and 1506.6(b). Public involvement includes agency coordination, SOV letters, public meetings, and public review of and comments on the EA. During project development and assessment of environmental impacts, NDDOT coordinated with agencies including FHWA, SHPO, USFWS, and the USACE. NDDOT also consulted with tribal representatives specific to cultural resources.

Landowners were contacted regarding land access required to collect information for the environmental study. A letter dated November 14, 2014, was sent to the landowners within the project area. Land access for such data collection is permitted per ND Century Code Chapter 24 Section 24-01-27.

4.1 AGENCY AND TRIBAL CONSULTATION

Local, state, and federal agencies and the tribes were contacted during the environmental review process. Consultation with tribes was conducted through meetings and field surveys of the project area. A solicitation of views was conducted to gather information from the agencies. Consultation with the City and County have occurred through correspondence and meetings to review alternatives.

4.1.1 Tribal Consultation

NDDOT has consulted with members of the Tribal Consultation Committee (TCC) from 18 regional tribes (tribal partners) since the inception of the project. Beginning in April 2014, the project has been discussed in the biannual meetings. Block survey results, with specific attention paid to the sites, were reviewed in April and September 2015. The TCC was invited to send Traditional Cultural Specialists to assist in the Class III intensive inventory. The final results of the block and linear surveys, refined alternatives, draft survey reports, and tribal concerns were reviewed and discussed with the TCC. All reports have been made available to TCC tribes for review.

4.1.2 Solicitation of Views Letters

SOV letters were sent to local, state, and federal agencies with interests within or adjacent to the project area on December 14, 2014, pursuant to Section 102(2) (D) (IV) of NEPA. A wetland jurisdictional request letter was sent to the USACE on September 11, 2017, and a consultation letter was sent to the ND SHPO on November 30, 2017. SOV letters were resent to utility companies in the project area on January 16, 2019. The SOV and agency consultation letters can be found in **Appendix H**. Comments received by the end of the 30-day comment period assisted in the evaluation of the project. The comments were incorporated into the EA where appropriate. The complete set of SOV response letters received can be found in **Appendix I**.

4.2 ENVIRONMENTAL COMMITMENTS AND PERMITTING

There are several permits and environmental commitments that would be required for the construction of the proposed project. These approvals were identified during the SOV process and evaluation for this EA.

4.2.1 Permits Required

Through agency consultation, a list of permits needed for the project was developed and are listed below in **Table 4-1**.

Table 4-1: List of Permits Needed

Agency	Permit
USACE	Section 404 Regulation of Dredged Material and Fill into Waters of the U.S.; Individual Permit
	Section 408 Alteration, Occupation or Use of a USACE Civil Works Project Temporary Construction Licenses
NDDEQ	North Dakota Pollutant Discharge Elimination System (NDPDES) to be obtained by a contractor
	Section 401 Water Quality Certification
ND State Engineer	A drain permit would be applied for if needed.
Williams County	No permits required
City of Williston	Erosion and Sediment Control Permit

4.2.2 Environmental Commitments

Consultation with agencies also developed several environmental commitments for the project. **Table 4-2** provides a summary of the environmental commitments identified during this environmental review process.

Table 4-2: Summary of Environmental Commitments

Number	Commitment	Implementing Entity	Timing of Implementation
1	Temporary impact areas within wetlands and or OWUS will be incorporated into the plans for this project. Remove temporary fill placed and sedimentation in wetlands or OWUS. Restore these wetlands to preconstruction contours.	Contractor	During and at completion of construction
2	Wetland mitigation is required for unavoidable permanent wetland impacts. The wetland mitigation plan will be incorporated into the plans for this project.	NDDOT	During and at completion of construction
3	No work will occur within the Little Muddy River from April 15 to June 1 to protect the resource during the spawning period.	Contractor	During construction

Number	Commitment	Implementing Entity	Timing of Implementation
4	NDDOT Stream Diversion Special Provision for Temporary Water Diversion would be followed for the project.	Contractor	During construction
5	Notify the NDGF at least 72 hours prior to any vehicles, vessels, pumps and equipment entering the water, to allow the NDGF enough time to inspect any and all such equipment for ANS.	Contractor	Prior to and during construction
6	Contact the NDGF for equipment inspections, or any additional information regarding ANS prevention protocol. Supply the inspection report to the engineer prior to work taking place in the water.	Contractor	Prior to and during construction
7	All vehicles and equipment that were used or parked away from the roadway on USACE property and taken off site will be washed and inspected prior to returning to USACE property.	Contractor	During construction
8	Erosion control measures be implemented to minimize sedimentation and to also prevent additional impairment of water quality in the Little Muddy River and associated tributaries.	Contractor	During and at completion of construction
9	Disturbed areas will be seeded with NDDOT grass and forb species mix where appropriate. Seed mix used on flowage easement property will be approved by the USACE.	Contractor	During and at completion of construction
10	Cultural resources that are *eligible* or *unevaluated* for listing on the NRHP will be avoided. A plan will be developed to protect any cultural resources inadvertently discovered during construction activities.	NDDOT/Contractor	During construction
11	If any nesting migratory birds are identified within the project area during construction, the Contractor would be required to notify USFWS, FHWA, and NDDOT immediately. Measures to avoid or minimize harm to migratory bird species would be implemented. This may include suspending construction activities where necessary and/or maintaining adequate buffers to protect birds until the young have fledged from the nest.	Contractor	During construction
12	If a bald or golden eagle nest is sighted within 0.5 miles of the project construction area, construction activities would cease within 0.5 miles of the nest and the USFWS	Contractor	During construction

Number	Commitment	Implementing Entity	Timing of Implementation
	would be notified for advice on how to proceed.		
13	The project would require construction to occur during the migratory bird nesting and breeding season (approximately February 1 through July 15). To avoid impacts to migratory birds during the breeding and nesting season, a qualified biologist would conduct pre-construction surveys for bald and golden eagles, migratory birds, and their nests within five days prior to the initiation of all construction activities. Mowing and grubbing (removal of and disposal of trees, shrubs, stumps, roots, brush, grassland and other surface objects) of the site prior to and throughout the nesting and breeding season may be completed in lieu of the pre-construction surveys to deter birds from nesting in project.	Contractor	Prior to construction
14	The contractor will notify the Project engineer immediately in the event any threatened or endangered species is identified within one mile of the proposed action. The Project engineer will cease all construction activities, establish at least a 0.5-mile avoidance area, and immediately coordinate with the USFWS, FHWA, and NDDOT Environmental and Transportation Services, and USACE (if on USACE property). The contractor will not resume work within the avoidance area until the Project engineer has confirmed with the agencies that work may proceed (either species have left the area or approved minimization measures have been implemented).	Contractor	During construction
15	In areas where above ground utility lines would be vertically adjusted within one mile of suitable habitat, the lines would be marked within line markers (bird diverters) at a 1:1 ratio per linear foot to the relocated, raised or lowered utility line to minimize potential impacts to whooping cranes.	NDDOT/Utility Owner	During construction
16	A shield system would be installed below the deck to prevent debris from falling into the river.	Contractor	Prior to and during construction
17	Bridge design will consider accommodations for wildlife, as feasible.	NDDOT	During design

4.3 PUBLIC INVOLVEMENT

The public had several opportunities to provide input during the environmental review process for the project. This included public input meetings where numerous concepts and alternatives were presented. A public hearing will be held during the formal EA review period. Additional informal comments from the public were also received by NDDOT during the environmental review process. A summary of public comments and NDDOT responses are included in **Appendix J**.

4.3.1 Public Input Meeting #1, June 25, 2015

The thirteen conceptual routes and the No Build Alternative were presented at a Public Input Meeting held on June 25, 2015, at the Williston Community Center. The public meeting was attended by approximately 30 people representing landowners, community members, media, and agency staff. A presentation was given about the preliminary project concepts and an open house followed allowing the public to ask questions and provide information and concerns about the conceptual routes. A press release with information about this meeting was provided to the local and regional media and was also posted on the NDDOT website. Public input and comments were taken following the meeting until July 10, 2015. Public Input Meeting #1 information is provided in **Appendix J**.

4.3.2 Public Input Meeting #2, November 15, 2016

Build Alternatives D and G were presented at a Public Input Meeting held on November 15, 2016, at the Williston State College. The public meeting was attended by approximately 28 people representing landowners, community members, media, and agency staff. A presentation was given about the two build alternatives under consideration with the opportunity to ask questions following the presentation. Written statements and comments were taken following the meeting until November 30, 2016. Public Input Meeting #2 information is provided in **Appendix J**.

4.3.3 County and City Meetings, September 2017

A regularly scheduled City of Williston Commission meeting was held on September 12, 2017, which discussed the options for a preferred alternative for the project. The meeting was open to the public. The Williams County Commission also held a regularly scheduled meeting on September 20, 2017, at which options for a preferred alternative for the project were discussed. This meeting was also open to the public. Minutes from these meetings are provided in **Appendix B**.

5.0 USACE Section 408 Review

The Rivers and Harbors Act of 1899, Section 408 (33 USC 408) (Section 408) requires the USACE to review activities that may alter, or temporarily or permanently occupy an authorized civil works project and conclude the activity would not be injurious to the public interest and will not impair the usefulness or authorized purpose of the project before granting Section 408 permission (USACE 2016). The USACE property and flowage easements are subject to the requirements of Section 408. Please refer to **Section 3.1** for information about USACE property and flowage easements.

Garrison Dam/Lake Sakakawea Project is a USACE authorized civil works project. The proposed Build Alternatives would have some impacts on authorized purposes of the Garrison Dam/Lake Sakakawea Project; **Table 5-1** summarizes the authorized purposes of the Garrison Dam/Lake Sakakawea Project. Adverse impacts to the public, the environment, and the congressionally-authorized purposes of the Garrison Project must be avoided.

The authorized purposes of the Garrison Project include flood control, navigation, irrigation, hydropower, municipal and industrial water supply, fish and wildlife, water quality, and recreation (USACE 2013). Impacts on these purposes are discussed in each resource section.

Alternatives D, G, and H were evaluated for potential impacts on USACE lands pursuant to Section 408 and are not anticipated to be injurious to the public interest, as the proposed alternatives would meet the purpose and need, and impacts would be mitigated as appropriate. **Table 5-2** provides a summary of the significance of the potential impacts of the Build Alternatives on the human and environmental resources in the project area. Additionally, it is not anticipated the proposed project would impair the usefulness of the Garrison Dam/Lake Sakakawea Project authorized purposes, as mitigation measures would be implemented if needed.

Table 5-1: Impacts to Authorized Purposes of the Garrison Dam/Lake Sakakawea Project

Authorized Purpose	Impacts of Alternatives D, G, and H
Flood Control	Permanent fill would be placed within the Lake Sakakawea flood control basin (i.e., below 1854 feet above mean sea level at pool crest) for the Build Alternatives. Mitigation would be coordinated with the USACE for placement of fill within the flood control basin on the flowage easement. No impacts to the Garrison Dam would occur. Please refer to **Section 3.1 - Land Use**.
Navigation	Temporary and permanent fill would be placed within the flowage easement but would not permanently impact the navigation of Lake Sakakawea. Navigability may experience temporary impacts during construction. Please refer to **Section 3.1 - Land Use**.
Irrigation	Modifications to irrigation water intake structures, water distribution infrastructure or other water supply projects are not anticipated under the Build Alternatives. If modifications become necessary during final design and construction, these activities would be coordinated with the appropriate utility companies, and any relocations on USACE land would include applicable easement acquisitions and/or modifications. Please refer to **Section 3.7 - Public Services and Infrastructure**.
Municipal/Industrial Water Supply	Modifications to community water intake structures or water distribution infrastructure are not anticipated under the Build Alternatives. If modifications become necessary during final design and construction, these activities would be coordinated with the appropriate utility companies, and any relocations on USACE land would include applicable easement acquisitions and/or modifications. Please refer to **Section 3.7 - Public Services and Infrastructure**.
Hydropower	The Garrison Power Plant would not be impacted by the Build Alternatives. Please refer to **Section 3.1 - Land Use**.
Fish and Wildlife	Permanent impacts on fish and fish habitat are not anticipated. The Build Alternatives would result in conversion of some potential wildlife habitat (i.e., primarily grassland), construction and operation of new roadway, and potential modification of utility lines. These activities would have no effect on the gray wolf, northern long-eared bat, interior least tern, piping plover, piping plover critical habitat, rufa red knot, and pallid sturgeon. The proposed project may affect but is not likely to adversely affect the whooping crane. Please refer to **Section 3.7 - Public Services and Infrastructure, Section 3.13 - Waterbody Modification, Fisheries, Aquatic Nuisance Species, and Wildlife;** and **Section 3.14 - Threatened and Endangered Species**.
Recreation	Permanent impacts to recreation are not anticipated. A temporary occupancy of USACE property, MU 113, would be required for removal of the CR 6 bridge. A USACE Temporary Construction License, a NDDOT Stream Diversion Special Provision, and a Section 408 permission would be required on USACE property. Please refer to **Section 3.1 - Land Use** and **Section 3.2 - Section 4(f)**.
Water Quality	Permanent impacts to water quality or Lake Sakakawea are not anticipated. Temporary impacts on water quality from construction may occur due to ground disturbance. Please refer to **Section 3.11 - Water Quality**.

Table 5-2: Significance of Potential Impacts of Build Alternatives on Human and Environmental Resources

EA Section	Significance of Potential Impacts From Build Alternatives
3.1 - Land Use	The Build Alternatives are not anticipated to result in a significant impact to land use because these alternatives would adhere to local plans and ordinances and the Uniform Act. Additionally, the impact to USACE land would require temporary occupancy of MU 113 (i.e., USACE property) and would not permanently impact the Garrison Dam or the authorized purposes of the Garrison Dam/Lake Sakakawea Project. USACE approval for construction within the flowage easement would be obtained prior to construction. This approval would require the balancing of cut/fill activities so that floodplain/reservoir storage would not be permanently impacted. No significant impacts are anticipated due to the cut/fill balancing that would be done within the USACE flood pool to ensure "no net loss." BMPs and mitigation would be implemented to minimize impacts to land use in the project area.
3.2 Section 4(f)	The Build Alternatives would not result in a use to Section 4(f) property because the exception for temporary occupancy would be applied and, per 23 CFR 774.13 (d) (3) no permanent adverse physical impacts or interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis would occur. No historic and archaeological resources subject to consideration under Section 4(f) would be impacted.
3.3 Farmland	The Build Alternatives are not anticipated to result in a significant impact to farmland because the impact to farmland would not exceed the allowable level according to the NRCS-CPA-106 Farmland Conversion Impact Rating for Corridor Type Projects form. Additionally, implementation of a North Dakota Pollutant Discharge Elimination System (NDPDES) permit, SWPPP, and BMPs would minimize impacts to soils.
3.4 Vegetation/Land Cover Types	The Build Alternatives are not anticipated to result in significant impacts to land cover because the non-roadway land disturbed by the project would be revegetated in grassland per NDDOT Design Manual guidance, NDDOT Standards and Specifications, and USACE Standard Operating Procedure 14 – Vegetation Mitigation, as applicable. To prevent the spread of noxious weeds, areas would be promptly reseeded with native vegetation and maintained in disturbed areas during the reclamation phase of the project, and equipment would be cleaned prior to entering USACE lands.
3.5 Floodplains	Alternatives D, G, and H would not impact County-regulated floodplains. No mitigation has been proposed as no impacts to regulated floodplain are anticipated. The Build Alternatives are not anticipated to result in significant impacts on floodplains because there are no mapped floodplains within the project area.
3.6 Social, Economic and Environmental Justice	The Build Alternatives are not anticipated to result in significant socio-economic impacts. There would be an overall beneficial impact on the social and economic environment due to the reduction of traffic congestion, which would improve access to goods and services. It would also improve safety and increase business productivity. Construction employment opportunities and demand for services are anticipated to increase during construction. No minority or low-income populations would be disproportionately affected by the Build Alternatives because no minority or low-income populations have been identified in the project area. Access to homes and businesses would be maintained during construction. The Build Alternatives would not impact the purpose of the Garrison Management Plan.

EA Section	Significance of Potential Impacts From Build Alternatives
3.7 Public Services and Infrastructure	The Build Alternatives are anticipated to have an overall beneficial impact on infrastructure due to improvements made to the transportation network. Any modifications needed for the utilities on USACE land would be coordinated with the USACE and the affected utility company.
3.8 Air Quality	The Build Alternatives are not anticipated to result in significant impacts to air quality because the projected traffic volume for the Build Alternatives is not enough to impact air quality. Typical thresholds for air quality concerns occur with traffic volumes of approximately 25,000 vehicles per day. Because of North Dakota's air quality status and predicted traffic volume, neither federal nor state ambient air quality standards during the post-construction phase would be violated. Construction emissions would be temporary and fugitive dust control measures would be included.
3.9 Noise	Although there are noise impacts identified along the proposed corridors, it is neither reasonable nor feasible to mitigate these impacts based on the NDDOT Guidance (2011). BMPs would be implemented during the temporary construction periods.
3.10 Water Quality	The Build Alternatives are not anticipated to result in significant impacts to water quality because of the implementation of a NPDES permit, SWPPP, and BMPs.
3.11 Wetlands and Other Waters of the U.S.	The Build Alternatives would have an impact on wetlands or OWUS. However, impacts would be minimized and/or mitigated by restoring area of temporary material removal to preconstruction contours; complying with the USACE Section 404 regulations for permanent fill and other impacts; mitigating for natural wetlands and for wetland impacts greater than 0.10 acre to USACE jurisdictional wetlands; and obtaining an Individual permit for impacts greater than 0.5 acre.
3.12 Waterbody Modification, Fisheries, Aquatic Nuisance Species, and Wildlife	The Build Alternatives are not anticipated to result in significant impacts to waterbodies, fisheries or wildlife because wetland and vegetation (i.e., potential habitat) would be mitigated with presence of habitat outside of the project corridor and project area. Development of the Build Alternatives would not create impacts that are significant when compared to the existing disturbances in the area. The Build Alternatives are unlikely to cause any long-term adverse effects to wildlife. There are no known bald or golden eagles' nests. Water quality impacts would be minimized through BMPs, a SWPPP, and NDPDES permit implementation. Impacts to fisheries would be minimized by following NDGF spawning restriction recommendations. Additionally, ND ANS Rules would be followed to reduce the potential impacts from the introduction of ANS, including cleaning of equipment prior entering other sites. Ground dwelling and terrestrial species may be impacted during construction activities. Temporary avoidance/displacement due to increased human activity and noise during construction may occur, which may also temporarily impact migratory birds.

EA Section	Significance of Potential Impacts From Build Alternatives
3.13 Threatened and Endangered Species	The Build Alternatives are not anticipated to result in significant impacts to threatened or endangered species because appropriate conservation measures have been selected and will be implemented for the project.
3.14 Cultural Resources	The Build Alternatives are not anticipated to result in significant impacts to cultural resources because those resources that are currently unevaluated or determined eligible for listing on the NRHP would be avoided and a Discovery Plan to guide inadvertent discoveries would be implemented. Additionally, USACE archaeological monitoring would take place on USACE lands.
3.15 Regulated Materials	The Build Alternatives would not impact regulated waste sites, USTs or LUSTs. Proper handling and disposal of regulated and hazardous waste would occur during construction.
3.16 Visual Impacts and Aesthetics	The Build Alternatives are not anticipated to result in significant impacts to visual and aesthetic resources because the project is consistent with existing development patterns in the project area, and construction activities would be temporary.
3.17 Energy	The Build Alternatives would have a potentially positive impact because the overall long-term energy consumption is anticipated to decrease due to improved traffic flow.
3.18 Construction	The Build Alternatives are not anticipated to result in significant impacts from construction. Construction activities would be temporary, and the proposed BMPs and mitigation would minimize permanent construction impacts from the project.
3.19 Cumulative Effects	Cumulative effects from the Build Alternatives would be minimal as regulations, BMPs, and minimization and mitigation measures would be implemented on the identified projects.

5.1 COMPLIANCE WITH ENVIRONMENTAL REGULATIONS

Bald and Golden Eagle Protection Act (BGEPA), 16 U.S.C. Sec. 668, 668 note, 669a-668d (In compliance)
This Act prohibits the taking or possession of and commerce in bald and golden eagles, with limited exceptions for the scientific or exhibition purposes, for religious purposes of Indian Tribes, or for the protection of wildlife, agriculture, or preservation of the species. The project would have no adverse effects on bald or golden eagles.

Clean Air Act (CWA), as amended, 42 U.S.C. 185711-7. et seq. (In compliance)
Air quality is not expected to be significantly impacted to any measurable degree by the proposed action.

Clean Water Act (CWA), as amended. (Federal Water Pollution Control Act) 33 U.S.C. 1251. et seq. (In compliance)
Regulatory requirements for the placement of dredged or fill material into waters of the United States is mandated by the CWA under Section 404. The USACE authorizes this permit. Impacts greater than 0.10 acres to jurisdiction wetlands will be mitigated.

Comprehensive Environmental Response Compensation and Liability Act (CERCLA) (In compliance)
CERCLA is triggered by (1) the release or substantial threat of a release of a hazardous substance into the environment; or (2) the release or substantial threat of a release of any pollutant or contaminant into the environment which presents an imminent threat to the public health and welfare. There are no anticipated impacts to regulated wastes.

Endangered Species Act (ESA), as amended, 16 U.S.C. 1531, et seq. (In compliance)
The project has been evaluated, and USFWS has concurred with either may affect, not likely to adversely affect or no effect for the threatened or endangered species that may be found in Williams County.

Environmental Justice (E.O. 12898) (In compliance)
Federal agencies shall make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. This project is rural in nature and no low-income or minority populations were identified.

Farmland Protection Policy Act (FPPA) (Subtitle I of Title XV of the Agriculture and Food Act of 1981), effective August 6, 1984 (In compliance)
Compliance with this act also satisfies the requirements set forth in the Council on Environmental Quality (CEQ) Memorandum of August 11, 1980, Analysis of Impacts on Prime or Unique Agricultural Lands in Implementing NEPA. This project falls under the guidance given in Section 310 of the General Manual, Subpart A, 403.4(b)(4) which states: to avoid new construction by improving existing linear projects such as highways, small acreages (i.e., ten acres or less per linear mile or 3 acres per existing bridge or interchange) may be exempted. Acreage includes both direct and indirect conversions.

Federal Water Project Recreation Act (FWPPA), as amended, 16 U.S.C. 460-1(12), et seq. (In compliance)
The project may temporarily impact recreational use until construction is complete. In the long-term, no changed recreational use of the civil works projects would occur.

Fish and Wildlife Coordination Act (FWCA). 16 U.S.C. 661 et seq. (In compliance).

Floodplain Management (E.O. 11988) (In compliance).
The project would not result in changes to area floodplains.

Migratory Bird Treaty Act (MBTA) of 1918 as amended, 16 U.S.C. 703-711, et seq. (In compliance)
The MBTA is the domestic law that affirms or implements the United States' commitment to four international conventions with Canada, Japan, Mexico, and Russia for the protection of shared migratory bird resources. The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts and nests. The take of all migratory birds is governed by the MBTA's regulation of taking migratory birds for educational, scientific, and recreational purposes and requiring harvest to be limited to levels that prevent over utilization. Executive Order 13186 (2001) directs executive agencies to take certain actions to implement the act.

National Environmental Policy Act (NEPA), as amended, 42 U.S.C. 4321, et seq. (In compliance).
This EA has been prepared for the proposed action and satisfies the NEPA requirement.

National Historic Preservation Act (NHPA), as amended. 16 U.S.C. 470a, et seq. (In compliance).
In the letter dated December 11, 2017, the ND SHPO concurred with the determination of No Potential to Affect Historic Properties. There is always potential for an unanticipated discovery of cultural resources during construction activities. In the event that historic resources are uncovered on USACE land, work would be halted immediately, and an USACE archeologist would be notified. The work on USACE land would not be restarted until the area has been inspected by an USACE archeologist and an order to proceed is given. If the USACE archeologist determines that the resource(s) require further consultation, he or she will notify the ND SHPO.

NDDOT Noise Policy approved by FHWA (In compliance)
The project would comply with the NDDOT Noise Policy and FHWA highway traffic noise regulations, Title 23: Highways – Part 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise.

Protection of Wetlands (E.O.11990) (In compliance)
The project would impact 4.8 acres which would be offset by mitigation.

Rivers and Harbors Act (RHA), 33 U.S.C. 401, et seq. (In compliance)
A CWA Section 10 permit is not required because no work would be completed in USACE Omaha District-listed Section 10 Waterways.

Watershed Protection and Flood Prevention Act (WPFPA), 16 U.S.C. 1101, et seq. (In compliance)
The contractor is required to prepare a SWPPP prior to the start of construction. BMPs to minimize erosion and sedimentation need to be identified in the Plan and then implemented.

6.0 List of Preparers

This EA was prepared for the NDDOT by Moore Engineering, Inc., Wenck, Inc., and Ulteig.

6.1 PREPARERS AND QUALIFICATIONS

Table 6-1: List of Preparers and/or Agency Technical Support

Name and Affiliation	Title	EA Responsibility
North Dakota Department of Transportation		
Wayne Zacher	Design Technical Support	Project Coordination, NEPA Document Review
Kristen Sperry	ETS Environmental Scientist	NEPA Document Review
Greg Schonert	ETS Biologist	Threatened and Endangered Species
Cory Lawson	ETS Environmental Section Leader	Agency Coordination, Document Review
Patty Winn	ETS Environmental Scientist	NEPA Document Review
Federal Highway Administration		
Kevin Brodie	Project Manager	Agency Coordination
Richard Duran	Environmental Program Manager	NEPA Document Review
Moore Engineering		
Amy Denz	Senior Project Manager	EA Manager and QAQC
Wenck		
Dan Ackerman	Wildlife Biologist	Biological and Wetland Technical Studies
Megan Beyer	Project Engineer	Contributing Author
Meaghan Dietrich	Environmental Scientist	Contributing Author
Ulteig		
Jennifer Hanley	Technical Manager	Project Manager
Steve Windish	Senior Engineer	QA/QC
Josh Kueber	Lead Engineer	Lead Design Engineer
Mary Schindler	Design Engineer	Design Engineer
Nikki Olson	Design Engineer	Noise Analysis

7.0 List of Acronyms and Abbreviations

AADT	Average Annual Daily Traffic
AASHTO	American Association of State Highway Officials
ac	Acres
ACHP	Advisory Council on Historic Preservation
AMSL	Above mean sea level
ANS	Aquatic Nuisance Species
BCA	Beaver Creek Archeology
BGEPA	Bald and Golden Eagle Protection Act
BMP	Best management practice
BNSF	Burlington Northern Santa Fe
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon monoxide
CR	County Road
CWA	Clean Water Act
dB	Decibels
dB(A)	Decibel level in Activity Category A
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
ETA	City of Williston one-mile extraterritorial area
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FPPA	Farmland Protection Policy Act
ft	Foot/Feet
FWCA	Fish and Wildlife Coordination Act
FWPPA	Federal Water Project Recreation Act
GIS	Geographic information system
HMA	Hot mix asphalt
IPCC	Intergovernmental Panel on Climate Change
L10(h)	Sound level that is exceeded 10 percent of the time for an hourly period
Leq	Equivalent sound level
Leq(h)	Hourly equivalent sound level
LUST	Leaking underground storage tanks
MBTA	Migratory Bird Treaty Act
MS4	Small Stormwater Municipal Separate Storm Sewer System
MU	Management Unit
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
ND	North Dakota
ND 1804	North Dakota Highway 1804
ND ANS Rules	North Dakota Aquatic Nuisance Species Rules

NDDA	North Dakota Department of Agriculture
NDDEQ	North Dakota Department of Environmental Quality
NDDoH	North Dakota Department of Health
NDDOT	North Dakota Department of Transportation
NDGF	North Dakota Game and Fish Department
NDSHPO	North Dakota State Historic Preservation Office
NDSWC	North Dakota State Water Commission
NDTL	Department of North Dakota Trust Lands
NE	Northeast
NE TRR	Northeast Truck Reliever Route
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NLCD	National Land Cover Database
NLEB	Northern long-eared bat
NDSWC	North Dakota State Water Commission
NO_2	Nitrogen dioxide
NRCS	National Resources Conservation Service
NRHP	National Register of Historic Places
NDPDES	North Dakota Pollution Discharge Elimination System
NW	Northwest
NW TRR	Williston Northwest Truck Reliever Route
O_3	Ozone
OW	Other Waters
OWUS	Other Waters of the United States
Pb	Lead
PBA	Programmatic Biological Assessment
Permanent NE TRR	Proposed project
PM	Particulate matter
PM2.5	Particulate matter less than 2.5 microns in diameter
PM10	Particulate matter less than 10 microns in diameter
RHA	Rivers and Harbors Act
ROW	Right-of-way
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SO_2	Sulfur dioxide
SoCP	Species of Conservation Priority
SOV	Solicitation of Views
STIP	Statewide Transportation Improvement Program
SWPPP	Stormwater Pollution Prevention Plan
TCC	Tribal Consultation Committee
TCS	Tribal Cultural Specialists
THPO	Tribal Historic Preservation Officer
TNM v2.5	FHWA's Traffic Noise Model Version 2.5
Tribal partners	18 Regional Tribes
TRR	Truck reliever route
US 2/85	US Highway 2/US Highway 85
UA	Uniform Relocation Assistance and Real Property Acquisition Act of 1970

USACE	United States Army Corps of Engineers
USC	United States Code
USCB	United States Census Bureau
USDTFAA	United States Department of Transportation Federal Aviation Administration
USGS	United States Geological Service
USFWS	United States Fish and Wildlife Service
UST	Underground storage tank
WAPA	Western Area Power Administration
WNS	White-Nose Syndrome
WPFPA	Watershed Protection and Flood Prevention Act

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Appendix A

Alternatives Screening Analysis

*Based on 4-lane typical section with flush median with 8" HMA and 18" Aggregate (most conservative estimates)

PCN 20788 - Williston NE Truck Reliever Route — Alternatives Screening Matrix

	Evaluation Criteria	Unit of Measure	Existing Route / No Build	Existing Route / Build (Purple)	Red	Blue	Green	Yellow	Cyan	Orange	Pink		
			Alternative A	Alternative B	Alternative C	Alternative D	Alternative E	Alternative F	Alternative G	Alt. C-Option 1	Alt. C-Option 2	Alt. E/F-Option 3	Alt. E/F-Option 4
Purpose and Need	Ability to reduce congestion on existing roads	Yes/No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Provides route to serve ND Highway 1804 traffic	Yes/No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Meets Purpose and Need	Yes/No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Engineering and Design	Design Criteria	Meets/ Does not Meet	Does not Meet	Does not meet	Meets	Meets	Meets	Meets	Meets	Meets	Meets	Meets	Meets
	Total Length	Miles	8.96	8.63	9.01	9.97	11.11	11.54	9.57	9.14	9.68	0.34	0.35
	Project Cost (mainline construction, not intersecting roadways) (Exludes ROW)	$	NA	$50,700,000	$50,500,000	$58,900,000	$70,000,000	$70,400,000	$58,400,000	$53,800,000	$53,300,000	$1,600,000	$1,700,000
	ROW Costs	$		TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
	Engineering	$	NA	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
	Grade over 4% (Existing Topo)	miles	#	3.293121	5	6	7	6	5	5	5		
	Percentage of route over 4%	%	#	38.15899189	54	57	64	54	56	55	56		
	Designed route over 4%	%	NA	0	0	0	0	0	0	0	0		
	Bicycle and Pedestrian Facilities	Yes/No	Yes (2000' - South End)	Yes (2000' - South End)	No	No	No	No	No	No	No	No	No
Natural Features	Total Wetlands	Acres	> 0	> 0	1.55	10.39	10.23	9.58	11.48	1.52	1.67	0.36	0
	Natural Drainage Crossings	# of crossings	5	6	8	7	17	14	7	8	9	1	0
	Floodplain	Acres of impact	NA	Yes	NA	NA	NA	NA	NA	NA	NA	NA	NA
	Threatened & Endangered Species	May be present/ not present	May be present	May be present	May be present	May be present	May be present	May be present	May be present	May be present	May be present	May be present	May be present
		Affected/ Not affected	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
	Designated Critical Habitat	Present/ Not present	Not present	Not present	Not present	Not present	Not present	Not present	Not present	Not present	Not present	Not present	Not present
Human Features	Section 4(f) properties/ Parks & Wildlife Refuges	Yes/No	Potential at river accesses	Potential at river accesses	No	No	Yes-USACE property	Yes-USACE property	No	No	No	No	Potential at USACE property
	Section 6(f) properties/ Parks & Wildlife Refuges	Yes/No	No	No	No	No	No	No	No	No	No	No	No
	Historical/Architectural Sites	# (Direct or Visual)	0	0	0	0	0	0	0	0	0	0	0
	Archaeological Sites Impacted	# Affected	0	0	4	0	0	0	0	4	8	0	0
	Archaeological Sites within 200' of modeled centerline	#	5	5	12	8	10	13	8	10	14	0	1
	Total Noise Receptors (2000' from CL)	# (abatement needed - Yes/No)	198	192	49	5	5	2	6	48	50	1	42
	Total Noise Impacts	# (abatement needed - Yes/No)	1	TBD	1	0	2 - No	2 - No	1 - No	1 - No	1 - No	TBD	TBD
	Residential	# (abatement needed - Yes/No)	0	19	1	1	2	2	No	1	3	0	1
	Commercial/Industrial	# (abatement needed - Yes/No)	0	10	1	1	0	2	1 (Knife River)	1	2	0	0
	Hazardous Materials Sites	#	5 sites reporting to EPA - South End (EPA Enviromapper)	5 sites reporting to EPA - South End (EPA Enviromapper)	0	0	0	0	1 (Knife River)	0	0	0	0
	Farmlands	GIS Acres	0	19.67	51.79	344.85	337.35	369.09	258.97	52.1	52.45	0.17	14.03

*Based on 4-lane typical section with flush median with 8" HMA and 18" Aggregate (most conservative estimates)

PCN 20788 - Williston NE Truck Reliever Route — Alternatives Screening Matrix

	Evaluation Criteria	Unit of Measure	Existing Route / No Build	Existing Route / Build (Purple)	Red	Blue	Green	Yellow	Cyan	Orange	Pink		
			Alternative A	Alternative B	Alternative C	Alternative D	Alternative E	Alternative F	Alternative G	Alt. C-Option 1	Alt. C-Option 2	Alt. E/F-Option 3	Alt. E/F-Option 4
Infrastructure	Railroad Crossings	#	0	0	1	1	1	1	1	1	1	0	0
	Overhead Crossings	#	25	24	11	11	10	11	11	10	13	1	2
	Waterline Crossings	#	26	33	3	3	3	3	5	3	7	0	0
	Electric Line Crossing	#	2	2	2	2	2	2	2	2	2	0	0
	Other Line Crossing	#	2	2	5	7	7	6	10	5	7	0	0
	Oil Line Crossing	#	1	1	5	7	8	9	11	5	8	0	0
	Gas line Crossing	#	12	11	5	5	2	2	5	5	5	1	0
	Existing Roadway Usage	Yes(miles)/No	Yes (8.96)	Yes (3.95)	Yes (0.91)	Yes (1.69)	Yes (0.88)	Yes (2.07)	Yes (0.94)	Yes (0.91)	Yes (0.91)	Yes (0.06)	No
	Access Points	#	118	87 *accesses on frontage excluded	40	35	38	40	37	37	46	2	0
Socioeconomic Issues	Minority Population Williams County	% minority	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5	14.5
	Minority Population Williston	% minority	8.8	8.8	8.8	8.8	8.8	8.8	8.8	8.8	8.8	8.8	8.8
	Population Low Income Williams County	% low income	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6	8.6
	Population Low Income Williston	% low income	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1
	Disproportionate	Yes/No	No	No	No	No	No	No	No	No	No	No	No
	Community Impacts – Proximity	#	1	7	5	2	4	6	5	5	5	0	0
	Oil Wells (500' from CL)	#	1	7	5	2	4	6	5	5	5	0	0
	Landfill (Affecting Route)	#	1	1	0	0	0	0	0	0	0	0	0
	Tribal Trust Lands	Acres	0	0	0	0	0	0	0	0	0	0	0
	Public Land	Acres	0	5.39	32.89	2.24	17.64	17.64	5.69	30.06	33.08	0.00	4.19
	Private Land	Acres	0	345.70	210.92	602.44	656.03	676.89	574.83	214.20	223.95	5.42	22.50
	Total Relocations	# Residential or Commercial	0	11 (res.) 3 (comm.)	1 (comm.)	0 - traverses Knife River's Gravel Pit - not near building - this would not be a relocation but should be noted	2 (res.)	2 (res.) 2 (comm.)	0 - traverses Knife River's Gravel Pit - not near building - this would not be a relocation but should be noted	1 (comm.)	1 (comm.)	0	0
Alternatives Screening	Alternative Carried Forward for Further Analysis in EA	Yes/No	Yes	No	No	Yes	No	No	Yes	No	No	No	No
	Screening Rationale		Evaluation of the No Action Alternative in the EA is required by NEPA. It provides a basis of analysis for the proposed alternatives.	Alternative B was elminated from further analysis in the EA as it would impact numerous residential and commercial properties, requiring noise abatement, access, and ROW acquisition. Existing infrastructure would pose additional issues for roadway reconstruction to try to meet project design criteria, which is not currently met by the exisitng roadway. Additionally, there is a high potential for cultural finds along the sourthern area of the route due to its proximity to the bluff and river, where Section 4(f) may also apply.	Alternative C was eliminated from further analysis in the EA due to the cultural resources findings and the high potential for additional cultural resources findings along this route. Many cultural resources along Alternative C would require preservation in place due to their type. Alternative C would also cut through the middle of the Knife River Corporation gravel mining operation (near buildings), which would require commercial business relocation. Additional impacts include bisecting Public Trust Lands and design feasibility with the Little Muddy River crossing.		Alternative E was eliminated from further analysis in the EA due to the USACE lands being leased to the Badlands Bird Dog Club. This would require a full 4(f) evaluation, which is very difficult to get approved. The USACE land has also been identified by the Department of Justice as a mitigation site (Consent Decree) for a spill. It would not be possible to get the required permits for this route.	Alternative E was eliminated from further analysis in the EA due to the USACE lands being leased to the Badlands Bird Dog Club. This would require a full 4(f) evaluation, which is very difficult to get approved. The USACE land has also been identified by the Department of Justice as a mitigation site (Consent Decree) for a spill. It would not be possible to get the required permits for this route.		Option 1 is associated with Alternative C, which was eliminated from further study. Please refer to Alternative C for screening rationale.	Option 2 is associated with Alternative C, which was eliminated from further study. Please refer to Alternative C for screening rationale.	Option 3 is associated with Alternatives E and F, which were eliminated from further study. Please refer to Alternative E and F for screening rationale.	Option 4 is associated with Alternatives E and F, which were eliminated from further study. Please refer to Alternative E and F for screening rationale.

Appendix B

Preferred Alternative Documentation

Amy J. Denz

From: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Sent: Wednesday, September 20, 2017 2:51 PM
To: Amy J. Denz; Megan M. Beyer
Subject: FW: 7-804(053)900 (PCN 20788) - Williston NE TRR Preferred Route
Attachments: NE TRR Minutes.pdf; 9.12.17 Minutes.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

Jennifer Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
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From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Wednesday, September 20, 2017 9:32 AM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Cc: Sperry, Kristen S. <ksperry@nd.gov>; Lawson, Cory L. <colawson@nd.gov>
Subject: FW: 7-804(053)900 (PCN 20788) - Williston NE TRR Preferred Route

SECURITY NOTICE: This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. If you have any questions about the authenticity of this message, please contact the IT help desk at x4357.

Jen,

Attached are the City Commission Meeting Minutes where the NE TRR was discussed and preferred route identified.

Please make sure the minutes are include in the environmental document along with the City's email identifying their preferred route.

Wayne Zacher
(701) 328-4828

From: Bob Hanson [mailto:BobH@ci.williston.nd.us]
Sent: Wednesday, September 20, 2017 9:24 AM
To: Zacher, Wayne A. <wzacher@nd.gov>; Dennis Nelson (dennisn@co.williams.nd.us) <dennisn@co.williams.nd.us>
Subject: RE: 7-804(053)900 (PCN 20788) - Williston NE TRR Preferred Route

Wayne

Attached please find the City Commission Minutes for the September 12th City Commission Meeting during which the City adopted the above referenced project's 'Black Route' as our preferred alignment. This is a 38 page document.

Also attached is a two page PDF of the portion of these minutes dealing with just the NE TRR preferred route.

Or preference is contingent upon Williams County's concurrence.

Should you have any questions or need any additional information, please contact the City Engineer's Office at any time.

Bob

From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Tuesday, September 19, 2017 1:23 PM
To: Dennis Nelson (dennisn@co.williams.nd.us); Bob Hanson
Subject: 7-804(053)900 (PCN 20788) - Williston NE TRR Preferred Route

Bob and Dennis,

Thank you for your preferred route responses. However, I do have another request. Can I please get the commission meeting minutes that shows this discussion? The meeting minutes and your emails will be placed in an appendix of the Environmental Document.

I have sent your emails onto Mr. Henke for concurrence of the preferred route.

Wayne Zacher
(701) 328-4828

CITY OF WILLISTON

22 E Broadway | PO Box 1306
Williston ND 58802-1306
Phone: 701-577-8100
cityauditor@ci.williston.nd.us

OFFICIAL PROCEEDINGS
Board of City Commissioners
September 12, 2017 - 6:00 p.m.
City Hall – Williston, North Dakota

1. Roll Call of Commissioners

COMMISSIONERS PRESENT: Chris Brostuen, Brad Bekkedahl (via teleconference), Deanette Piesik, Tate Cymbaluk, Howard Klug

COMMISSIONERS ABSENT: None

OTHERS PRESENT: John Kautzman, Jason Catrambone, Dave Bell, Bob Hanson, Anthony Dudas, David Tuan, Pete Furuseth, Rachel Laqua, Chery Pierzina, Kent Jarcik, Kelly Aberle

Mayor Klug presented a quorum.

CHANGES TO AGENDA:

Add: 8A Cemetery Proclamation
Remove: 9B1 Resolution 17-033

Motion by Brostuen, Seconded by Cymbaluk to approve the agenda as amended. UNANIMOUS BY VOICE VOTE

2. Consent Agenda
   A. Reading and Approval of Minutes
      1) Regular Meeting Dated: August 22, 2017
   B. Auditor
      1) Accounts, Claims and Bills

Check #	Vendor/Employee/Payee Number/Name	Check Amount	Date Issued
-50913	56070 TATE A. CYMBALUK	0.00	08/18/17
-50912	56297 BRENDA D'ANGELO	1461.93	08/18/17
-50911	12020 RANDY M DONNELLY	1475.10	08/18/17
-50910	56656 MELISSA ELLETSON	2095.62	08/18/17
-50909	12017 JOHN L. KAUTZMAN	3266.04	08/18/17
-50908	56719 KATHY KIMLEY	1873.74	08/18/17
-50907	12026 KAREN P. LARSON	1621.03	08/18/17
-50906	56788 MARY-ANN SVOBODA	1337.88	08/18/17
-50905	56655 STEPHANIE WELLMAN	1407.95	08/18/17
-50904	56462 BONNIE COLEOTE	1191.74	08/18/17
-50903	56717 JASMINE COLLINS	1066.20	08/18/17
-50902	56761 MICHAEL CORNELL	1315.48	08/18/17

-50901	13026	KEVIN W. CRAFT	1216.03	08/18/17
-50900	56794	CAITLIN ESTRADA	1160.25	08/18/17
-50899	56792	JUSTIN FREED	1329.43	08/18/17
-50898	56795	SARAH HILTON	986.87	08/18/17
-50897	56729	GEORGIA HOLLEMBEAK	1208.43	08/18/17
-50896	56614	ELIZABETH OLSON	1231.50	08/18/17
-50895	56323	LINDSEY REPP	1336.82	08/18/17
-50894	56660	MIKAELA SKALICKY	1340.83	08/18/17
-50893	13025	JOLEEN S. TINKER	1465.05	08/18/17
-50892	56569	CINDY WHITE	1390.33	08/18/17
-50891	56378	LAURA WOLTJER	1212.74	08/18/17
-50890	14021	BRAD D. BEKKEDAHL	185.07	08/18/17
-50889	34103	CHRISTOPHER J. BROSTUEN	794.65	08/18/17
-50888	14025	HOWARD D. KLUG	532.48	08/18/17
-50887	56476	DEANETTE PIESIK	811.40	08/18/17
-50886	56169	KATHERINE E. BERWICK	2391.38	08/18/17
-50885	17016	THOMAS J. GLENN	408.64	08/18/17
-50884	56713	DENISE MELBY	1350.58	08/18/17
-50883	56491	KATHLEEN STAHOWIAK	2248.15	08/18/17
-50882	15004	JANET B. ZANDER	2328.76	08/18/17
-50881	56225	SUSAN E. MOELLER	1282.88	08/18/17
-50880	56698	BRITTANY ANDERSON	1460.23	08/18/17
-50879	56540	BRAD AUTTELET	2157.63	08/18/17
-50878	56699	JOSHUA BANKS	1562.35	08/18/17
-50877	56458	CLINTON BATES	2644.08	08/18/17
-50876	18021	ROBERT J. BENTH	2287.92	08/18/17
-50875	56781	MARC BRADE	2824.42	08/18/17
-50874	56749	JAKE BYMAN	1342.36	08/18/17
-50873	56701	MITCHELL BYMAN	2088.25	08/18/17
-50872	56419	JASON CATRAMBONE	3179.13	08/18/17
-50871	56641	JUSTIN CHAMPION	1247.02	08/18/17
-50870	56746	KHRISTOPHER CHAMPION	1337.42	08/18/17
-50869	56584	MATTHEW CLARK	2151.57	08/18/17
-50868	56743	STEPHEN CLARK	1231.56	08/18/17
-50867	56741	PRISCILLA CRAIN	1099.56	08/18/17
-50866	56732	JESSE CRUISE	789.37	08/18/17
-50865	56722	DONALD DEMPSEY	1435.81	08/18/17
-50864	56754	CHRIS DICK	2492.79	08/18/17
-50863	56661	VICTORIA DOUGLAS	1421.42	08/18/17
-50862	56506	RYAN EDMONDSON	570.09	08/18/17
-50861	56783	MICHAEL FRONIMOS	2241.31	08/18/17
-50860	56500	CHRISTOPHER GILLIES	1817.57	08/18/17
-50859	56459	MATTHEW GOODE	2663.46	08/18/17
-50858	56634	JAMES HERRMANN	1423.71	08/18/17
-50857	56630	JOHN HOSKINS	1337.10	08/18/17
-50856	56567	EMILY HUGHES	2420.46	08/18/17
-50855	56507	GREGORY HUGHES	2239.12	08/18/17
-50854	56758	CHRISTOPHER JAMES	1285.52	08/18/17
-50853	56636	COREY JOHNSON	1816.89	08/18/17
-50852	56768	SHAWN JOHNSON	1428.85	08/18/17
-50851	56753	MAKAILYN KELLY	1968.94	08/18/17
-50850	18027	STEVEN D. KERZMANN	2173.62	08/18/17

-50849	18096	TRACY C. KERZMANN	1505.33	08/18/17
-50848	56612	ROBERT KISER	1979.45	08/18/17
-50847	56587	JEREMY KNAPKEWICZ	1698.26	08/18/17
-50846	56715	WYATT KOENIG	1469.23	08/18/17
-50845	56498	JASON LEWIS	1258.27	08/18/17
-50844	56483	JOSHUA MAHLUM	1651.57	08/18/17
-50843	56658	CHRISTOPHER MAHONEY	1438.49	08/18/17
-50842	56731	MICHAEL MESCO	1750.21	08/18/17
-50841	56642	RYAN MILLER	1457.18	08/18/17
-50840	56527	CRAIG MOEN	1481.41	08/18/17
-50839	56647	PAUL MONZON	53.50	08/18/17
-50838	18099	ERICA J. MYERS	1238.19	08/18/17
-50837	56742	BRODERICK NELSON	1599.51	08/18/17
-50836	56583	AMANDA NORTON	1697.89	08/18/17
-50835	56744	CHRISTIAN OLSON	1334.80	08/18/17
-50834	56503	JOHN PAGANO	1717.02	08/18/17
-50833	56718	JESSICA PATTERSON	2359.93	08/18/17
-50832	56755	JORDAN RABE	1636.36	08/18/17
-50831	56751	STEVEN RISK	1532.84	08/18/17
-50830	56740	FLETCHER SCAIFE	1079.93	08/18/17
-50829	56645	JILL SELLERS	2441.78	08/18/17
-50828	56504	PATRICK SELLERS	1837.35	08/18/17
-50827	56739	TRAVIS SHAY	1133.88	08/18/17
-50826	56759	SARA STAFFORD	1031.09	08/18/17
-50825	18048	DARWIN STEVENS	41.56	08/18/17
-50824	56752	IAN STEWART	1433.21	08/18/17
-50823	56649	EARNEST THEETGE	3103.18	08/18/17
-50822	56680	CHELSEA THOMAS	1088.02	08/18/17
-50821	56494	JEFFREY VANDYKE	444.53	08/18/17
-50820	56733	ANTHONY VERESPE	3079.93	08/18/17
-50819	56723	JOHN DANIEL WILSON	900.43	08/18/17
-50818	56174	SAM M. AIDE	1728.90	08/18/17
-50817	56273	JASON BARTEN	1784.89	08/18/17
-50816	56246	HUGH E BENZEN	1695.76	08/18/17
-50815	19092	DUSTIN J. BERTSCH	2504.45	08/18/17
-50814	56097	ALAN C. BRATT	2019.82	08/18/17
-50813	56146	ASHLEY R. CELANDER	1560.93	08/18/17
-50812	56121	DUSTIN R. CELANDER	1632.57	08/18/17
-50811	56721	BRYCE DAHL	1659.30	08/18/17
-50810	56278	DANIEL DERY	1981.21	08/18/17
-50809	56173	RODNEY H. DICKERSON	2430.05	08/18/17
-50808	56485	JAMES DIXON	1740.03	08/18/17
-50807	56354	RYAN EGERMAN	1789.20	08/18/17
-50806	56724	ALEXIUS ENGET	1608.87	08/18/17
-50805	56631	BRETT FLESNESS	1808.53	08/18/17
-50804	56255	CHELSEA S FOSSEN	1279.22	08/18/17
-50803	19009	LINDA R. GRANBOIS	1374.39	08/18/17
-50802	56147	JACOB J. GREGORY	2495.39	08/18/17
-50801	19095	WALTER H. HALL	2231.12	08/18/17
-50800	19082	RANDY M. HAUGENOE	2189.82	08/18/17
-50799	56737	JASON HAYDEN	1649.02	08/18/17
-50798	56206	DANIELLE HENDRICKS	1755.41	08/18/17

-50797	56243	JACOB R. HENDRICKS	1771.01	08/18/17
-50796	56285	TYLER HOFF	1695.38	08/18/17
-50795	56210	WILLIAM E. HOLLER	125.93	08/18/17
-50794	56711	SHAWN HOLM	1505.86	08/18/17
-50793	56353	JONATHAN HOLTER	1767.22	08/18/17
-50792	56102	MICHAEL A. ISENHOWER JR	1923.31	08/18/17
-50791	56787	BEAU JACOBSON	1527.64	08/18/17
-50790	56714	MARNAE KLUNGSETH	1618.00	08/18/17
-50789	56556	AMBER KOEHN	1789.84	08/18/17
-50788	56555	JACOB KOEHN	1665.64	08/18/17
-50787	56651	CINDY KOPAC	984.98	08/18/17
-50786	56726	ERICA KUCERA	1581.21	08/18/17
-50785	56387	AARON KURTENBACH	1640.67	08/18/17
-50784	56765	MICHAEL LICCIARDI	1567.19	08/18/17
-50783	56082	TRAVIS J. MARTINSON	1829.09	08/18/17
-50782	56767	CODY MILLER	1587.40	08/18/17
-50781	56492	HEATHER MONTGOMERY	1779.87	08/18/17
-50780	56449	NICHOLAS NELSON	1737.89	08/18/17
-50779	56061	AMY D. NICKOLOFF	2827.13	08/18/17
-50778	56766	JEFFREY OLSON	1562.66	08/18/17
-50777	56617	AMBER PELZL	1090.14	08/18/17
-50776	56385	JUSTIN PELZL	1265.96	08/18/17
-50775	19098	DAVID A. PETERSON	2796.37	08/18/17
-50774	56397	MEGAN PETERSON	1254.20	08/18/17
-50773	56418	TRAVIS PETERSON	1653.25	08/18/17
-50772	56403	KRISTIINA RAVASKA	1653.10	08/18/17
-50771	56148	JONATHAN D. ROGGENKAMP	1789.21	08/18/17
-50770	56627	MELANIE RUSSELL	1681.32	08/18/17
-50769	56632	NICHOLAS SATERMO	1742.79	08/18/17
-50768	13027	CRYSTAL A. SCHAUBEL	1155.16	08/18/17
-50767	56571	CRAIG WARE	1669.05	08/18/17
-50766	56633	BENJAMIN WILLIAMS	1503.23	08/18/17
-50765	19077	MICHAEL S. WILSON	2401.69	08/18/17
-50764	56572	DANIEL ZIMMERMAN	1695.76	08/18/17
-50763	20047	KELLY ABERLE	1807.90	08/18/17
-50762	56209	MARTIN L. COLGAN	1975.35	08/18/17
-50761	56296	JOE DOSS	1945.13	08/18/17
-50760	56762	LESLIE HAMRICK	977.14	08/18/17
-50759	56490	RICHARD KIMBALL II	1834.90	08/18/17
-50758	56771	LACEY MIZELL	1101.16	08/18/17
-50757	56301	TRAVIS MIZZELL	1255.12	08/18/17
-50756	56441	DAVID SASSER	1887.27	08/18/17
-50755	56252	DIANE THOMPSON	1214.86	08/18/17
-50754	56793	LORI THRONDSEN	875.37	08/18/17
-50753	56360	NYDEL TOMPKINS	1062.54	08/18/17
-50752	56791	WILLIAM TOWNSLEY	1494.59	08/18/17
-50751	56270	WILLIAM TRACY III	2898.92	08/18/17
-50750	25030	PEDAR A. ANDRE	1372.50	08/18/17
-50749	21041	ROBERT E HANSON	2933.43	08/18/17
-50748	56517	THOMAS HARTLEY	2002.59	08/18/17
-50747	56772	IAN RYPKEMA	520.96	08/18/17
-50746	56428	THOMAS SCOTT	1464.52	08/18/17

-50745	21054	WAYNE A WIEDRICH	2783.77	08/18/17
-50744	56421	JAREK WIGNESS	1881.56	08/18/17
-50743	56712	BRANDON BRUNDAGE	1881.41	08/18/17
-50742	22021	LES CHRISTENSEN	2151.35	08/18/17
-50741	56425	ALEXANDER NELSON	947.96	08/18/17
-50740	56474	JASON ANDREASON	2815.51	08/18/17
-50739	56532	BEAU BERGERON	1299.49	08/18/17
-50738	56558	KYLE BREDWICK	1151.07	08/18/17
-50737	56543	DAVID CURTISS	1264.93	08/18/17
-50736	23136	JAMES B. ENGEN	2720.66	08/18/17
-50735	56653	DOMINICK IOVINO	1779.70	08/18/17
-50734	56528	JONNY IOVINO	2423.88	08/18/17
-50733	23039	BRUCE A. JOHNSON	1505.12	08/18/17
-50732	56559	RANDALL JOHNSON	1496.10	08/18/17
-50731	56315	EARL KILLINGSWORTH	1163.96	08/18/17
-50730	56601	RICHARD MALONEY	1279.44	08/18/17
-50729	56577	MARC MOHR	1607.29	08/18/17
-50728	56448	EMIL NEHRING	1739.80	08/18/17
-50727	56628	GREG OSTER	1708.88	08/18/17
-50726	56303	TROY OSTER	1376.15	08/18/17
-50725	56756	CLYDE RANSONET	960.84	08/18/17
-50724	56773	CAMERON ROSE	480.89	08/18/17
-50723	56720	JAMES SCHMIDT	1049.16	08/18/17
-50722	56482	GARY SKABO JR	1245.71	08/18/17
-50721	56526	GARY SKABO SR	1112.29	08/18/17
-50720	56686	TIMOTHY SNEATH	1253.06	08/18/17
-50719	56167	MATTHEW TUTAS	1466.32	08/18/17
-50718	56652	IAN WEIGEL	1469.29	08/18/17
-50717	56451	DAVID WITTMAN	1714.47	08/18/17
-50716	56409	KENDELL BROWN	1153.21	08/18/17
-50715	56370	JEFFREY BRYSON	2077.12	08/18/17
-50714	24019	ROBERT D. COUGHLIN	1205.80	08/18/17
-50713	56381	MORKATAA DHINAA	2043.91	08/18/17
-50712	56478	KYLE FLEMING	1536.65	08/18/17
-50711	56575	FRANCIS GOODSKY	1344.72	08/18/17
-50710	56189	AMANDA M. KAISER - LEE	1533.11	08/18/17
-50709	56356	MITCHELL KERSTING	2107.85	08/18/17
-50708	56629	ALDON OLSON	1225.37	08/18/17
-50707	56682	LACEY RIXEN	1466.22	08/18/17
-50706	56415	WILLIAM SCHWENDEMAN	1120.48	08/18/17
-50705	56284	SABRINA SIMS	1586.56	08/18/17
-50704	56550	JAMIE SITZMAN	776.49	08/18/17
-50703	56539	ETHAN TUNNELL	1285.23	08/18/17
-50702	25110	KENNETH W. BERGSTROM	2552.31	08/18/17
-50701	56472	CURTIS CLARYS	2476.04	08/18/17
-50700	56613	SKYLER HENRIE	1107.03	08/18/17
-50699	25111	JASON W. HOULE	1329.87	08/18/17
-50698	56648	BRANDON SANDBERG	1542.53	08/18/17
-50697	56389	THOMAS ATOR	1369.66	08/18/17
-50696	56735	DAMARA GREGORY	1028.82	08/18/17
-50695	56596	KATRINA HENRY	794.92	08/18/17
-50694	56368	ERICA KELASH	1777.47	08/18/17

-50693	56433	RENA COLLIE	1463.28	08/18/17
-50692	56797	JASON COTTAM	1313.80	08/18/17
-50691	56513	ARTHUR CRUMB	1716.18	08/18/17
-50690	56704	JAMIE DUESSLER	1622.03	08/18/17
-50689	54065	PATRICIA K. FIORENZA	2432.30	08/18/17
-50688	27076	DANNY R. GERGEN	1727.65	08/18/17
-50687	56091	JAMES A HAGA JR	1951.19	08/18/17
-50686	56128	VERNON L. HENDRICKSON	1619.05	08/18/17
-50685	56687	LONNY HIATT	1226.19	08/18/17
-50684	56535	JEFFREY LADUCER	1273.14	08/18/17
-50683	56477	ROBERT LADUCER	1283.04	08/18/17
-50682	27096	RUSSELL E. MOMBERG	1945.80	08/18/17
-50681	27091	JOSEPH G. MONSON	1168.87	08/18/17
-50680	56786	CHASE OLSON	767.91	08/18/17
-50679	56622	REX OLSON	1297.56	08/18/17
-50678	56785	GARY ROBB	1172.68	08/18/17
-50677	56757	TYRELL SMITH	1231.06	08/18/17
-50676	56565	DAVID SMITHBERG	1182.64	08/18/17
-50675	56084	KENNETH R. BOYKIN	1879.49	08/18/17
-50674	56514	NICO BUECHNER	2004.13	08/18/17
-50673	56114	ANTHONY D. DUDAS	2990.26	08/18/17
-50672	56688	MASON FUNDERBURG	1237.75	08/18/17
-50671	56671	ROBERT S HANSON	1605.91	08/18/17
-50670	56598	TERRY HARP	1690.33	08/18/17
-50669	12029	LORI A. LARSEN	1615.70	08/18/17
-50668	56611	CORDELL LINDVIG	1302.07	08/18/17
-50667	56708	JOSHUA LOEWENBERG	1423.90	08/18/17
-50666	56705	BRENT MILLER	1112.54	08/18/17
-50665	56725	DEVIN REIFSTECK	1122.72	08/18/17
-50664	56798	KASEY WYMAN-YOUNG	1024.46	08/18/17
-50663	56508	JAMES HAGA SR	1197.72	08/18/17
-50662	23126	BRENT E. HANSON	1858.43	08/18/17
-50661	56488	MARK BRUINEKOOL	1014.63	08/18/17
-50660	56367	TONY SCOTT	758.38	08/18/17
-50659	56340	MICHAEL SIMPSON	1683.23	08/18/17
-50658	56640	BRANDON KUZEL	1330.36	08/18/17
-50657	56200	GINA MOTTL	548.27	08/18/17
-50656	56693	KELSY NEHRING	1146.00	08/18/17
-50655	56585	SCOTT VASSEN	2367.52	08/18/17
-50654	56352	BRIAN YOUNG	1784.99	08/18/17
-50653	56579	JOSEPHINE CHING	1057.40	08/18/17
-50652	56347	CHRISTINE EDWARDS	1476.76	08/18/17
-50651	34017	KENT A. JARCIK	3028.35	08/18/17
-50650	56239	RACHEL K. LAQUA	2140.29	08/18/17
-50649	56782	JEREMY MILLER	1398.48	08/18/17
-50648	35025	JOSILYN F BEAN	1918.75	08/18/17
-50647	27058	DAVID LEE BELL	2862.31	08/18/17
-50646	56516	BARBARA ELLICO	1259.74	08/18/17
-50645	56375	KRISTIN THORSON	1585.86	08/18/17
-50644	56710	ALYSSA WIEDRICH	1275.13	08/18/17
-50643	36006	NEIL W. BAKKEN	1872.83	08/18/17
-50642	56366	KENT SKABO	1921.39	08/18/17

-50641	56180	DIANE C. HAGEN	645.13	08/18/17
-50640	56796	ETHAN BECK	177.32	08/18/17
-50639	56736	TIFFANY BRUNO	795.46	08/18/17
-50638	56777	KELLY CRUSCH	107.62	08/18/17
-50637	48102	KAYLA J. HELL	769.05	08/18/17
-50636	56784	MONTANA ICENOGLE	144.07	08/18/17
-50635	56638	WANDA OLAF	656.28	08/18/17
-50634	56111	ANDREA L. PLACHER	1004.01	08/18/17
-50633	56683	ANN REINKE	151.26	08/18/17
-50632	56364	JASON SAGE	860.48	08/18/17
-50631	48013	DEBORAH A. SLAIS	1334.65	08/18/17
-50630	56588	KIRBY STRICKLAND	944.04	08/18/17
-50629	48034	YVONNE A. TOPP	332.68	08/18/17
-50628	56411	LISA WEBB	983.06	08/18/17
-50627	56298	SAWYER ZENT	262.29	08/18/17
-50626	52011	ANN M. KVANDE	1507.33	08/18/17
-50625	56041	BARBARA J. PETERSON	1340.77	08/18/17
-50624	56578	BRENDA SCHMIDT	1251.04	08/18/17
-50623	56769	MICAH SPANNER	441.85	08/18/17
-50622	52020	SHAWN WENKO	2212.62	08/18/17
-50621	56538	KATHY HAVSKJOLD	422.53	08/18/17
-50620	56222	VIVIAN KALMIK	405.08	08/18/17
-50619	53002	AMY A. KRUEGER	2215.13	08/18/17
-50618	56271	SABRINA A RAMEY	1384.35	08/18/17
-50617	56310	JENNIFER STRIETZEL	1249.24	08/18/17
-50616	56625	JEREMY WRIGHT	1693.26	08/18/17
-50615	56646	THOMAS FRETLAND	1742.85	08/18/17
-50614	56775	TERYAN HAKE	642.51	08/18/17
-50613	56799	JULIE HATTER	1448.84	08/18/17
-50612	56479	TRISTA HENRIE	2066.33	08/18/17
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-50610	56728	TERRI JOHNSON	1248.50	08/18/17
-50609	56604	BRET WILLIAMS	3076.94	08/18/17
-50608	56690	Derek Booth	290.90	08/18/17
-50607	56407	Tyson Burkle	484.84	08/18/17
-50606	56116	Tyler D. Carlstad	249.78	08/18/17
-50605	56023	Mathew P. Ekblad	642.96	08/18/17
-50604	56405	Matthew Flaten	249.78	08/18/17
-50603	56618	Joshua Foust	129.29	08/18/17
-50602	56005	Cory J. Hanson	836.88	08/18/17
-50601	56563	Thomas Hartley	258.58	08/18/17
-50600	56205	Brandon Hoffman	238.11	08/18/17
-50599	56034	Blaine C. Jeanotte	616.28	08/18/17
-50598	56691	Kenny Kukuk	161.61	08/18/17
-50597	56291	James Laqua	353.66	08/18/17
-50596	56238	Ryan Lee	374.02	08/18/17
-50595	56668	Lyle Lordemann	506.57	08/18/17
-50594	56011	Kelly Moody	32.32	08/18/17
-50593	56013	Josh S. Mosbrucker	32.32	08/18/17
-50592	56447	Paul Riely	484.84	08/18/17
-50591	56016	Kyle J. Rossland	612.20	08/18/17
-50590	56619	Milton Sluder	294.98	08/18/17

-50589	56058	Brenden L. Stevens	503.31	08/18/17
-50588	56020	Darwin J. Stevens	192.13	08/18/17
-50587	56027	Michael W. Walters	323.76	08/18/17
-50586	56435	KEVIN POWERS	2052.77	08/18/17
-50585	56522	RYAN SLAPNICKA	1886.32	08/18/17
-50584	56512	PEGGY MASTERS	1607.42	08/18/17
-50583	56764	CHERYL PIERZINA	2401.53	08/18/17
-50582	56293	DAVID TUAN	3283.80	08/18/17
-50581	IAFF LOCAL 3743	IAFF LOCAL 3743	550.00	08/18/17
-50580	WEAPON	CITY OF WILLISTON	689.76	08/18/17
-50579	DEFER COMP ROTH	NATIONWIDE RETIREMENT SO	21426.32	08/18/17
-50578	ND CHILD SUPPOR	ND CHILD SUPPORT ENFORCE	2505.30	08/18/17
-50577	FIT	U.S. TREASURY	211949.78	08/18/17
-50576	56297	BRENDA D'ANGELO	1547.82	09/01/17
-50575	12020	RANDY M DONNELLY	1602.11	09/01/17
-50574	56656	MELISSA ELLETSON	2095.62	09/01/17
-50573	12017	JOHN L. KAUTZMAN	3267.06	09/01/17
-50572	56719	KATHY KIMLEY	2004.97	09/01/17
-50571	12026	KAREN P. LARSON	1621.43	09/01/17
-50570	56788	MARY-ANN SVOBODA	1364.00	09/01/17
-50569	56655	STEPHANIE WELLMAN	1408.37	09/01/17
-50568	56462	BONNIE COLEOTE	1192.91	09/01/17
-50567	56717	JASMINE COLLINS	1067.38	09/01/17
-50566	56761	MICHAEL CORNELL	1315.48	09/01/17
-50565	13026	KEVIN W. CRAFT	1216.44	09/01/17
-50564	56794	CAITLIN ESTRADA	1160.73	09/01/17
-50563	56792	JUSTIN FREED	1329.43	09/01/17
-50562	56795	SARAH HILTON	988.07	09/01/17
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-50559	56323	LINDSEY REPP	1289.42	09/01/17
-50558	56660	MIKAELA SKALICKY	1340.83	09/01/17
-50557	13025	JOLEEN S. TINKER	1465.47	09/01/17
-50556	56569	CINDY WHITE	1390.33	09/01/17
-50555	56378	LAURA WOLTJER	1627.46	09/01/17
-50554	56169	KATHERINE E. BERWICK	2352.63	09/01/17
-50553	17016	THOMAS J. GLENN	281.20	09/01/17
-50552	56713	DENISE MELBY	1237.97	09/01/17
-50551	56491	KATHLEEN STAHOWIAK	2249.34	09/01/17
-50550	56225	SUSAN E. MOELLER	1283.89	09/01/17
-50549	56698	BRITTANY ANDERSON	1972.30	09/01/17
-50548	56540	BRAD AUTTELET	1985.70	09/01/17
-50547	56699	JOSHUA BANKS	1259.98	09/01/17
-50546	56458	CLINTON BATES	2480.89	09/01/17
-50545	18021	ROBERT J. BENTH	2304.66	09/01/17
-50544	56781	MARC BRADE	2846.13	09/01/17
-50543	56749	JAKE BYMAN	1944.78	09/01/17
-50542	56701	MITCHELL BYMAN	2154.28	09/01/17
-50541	56419	JASON CATRAMBONE	3201.69	09/01/17
-50540	56641	JUSTIN CHAMPION	2952.31	09/01/17
-50539	56746	KHRISTOPHER CHAMPION	1510.33	09/01/17
-50538	56584	MATTHEW CLARK	2279.42	09/01/17

-50537	56743	STEPHEN CLARK	1376.34	09/01/17
-50536	56741	PRISCILLA CRAIN	1898.81	09/01/17
-50535	56732	JESSE CRUISE	472.17	09/01/17
-50534	56722	DONALD DEMPSEY	1961.21	09/01/17
-50533	56754	CHRIS DICK	1794.67	09/01/17
-50532	56650	THOMAS DICKEY	376.01	09/01/17
-50531	56661	VICTORIA DOUGLAS	1430.71	09/01/17
-50530	56783	MICHAEL FRONIMOS	3768.99	09/01/17
-50529	56500	CHRISTOPHER GILLIES	2877.08	09/01/17
-50528	56459	MATTHEW GOODE	2300.44	09/01/17
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-50525	56567	EMILY HUGHES	2437.25	09/01/17
-50524	56507	GREGORY HUGHES	2256.89	09/01/17
-50523	56758	CHRISTOPHER JAMES	1450.92	09/01/17
-50522	56636	COREY JOHNSON	1882.24	09/01/17
-50521	56768	SHAWN JOHNSON	1414.17	09/01/17
-50520	56753	MAKAILYN KELLY	2549.99	09/01/17
-50519	18027	STEVEN D. KERZMANN	2343.21	09/01/17
-50518	18096	TRACY C. KERZMANN	1879.42	09/01/17
-50517	56612	ROBERT KISER	1998.34	09/01/17
-50516	56587	JEREMY KNAPKEWICZ	1498.34	09/01/17
-50515	56715	WYATT KOENIG	1283.44	09/01/17
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-50513	56483	JOSHUA MAHLUM	1784.14	09/01/17
-50512	56658	CHRISTOPHER MAHONEY	1743.03	09/01/17
-50511	56731	MICHAEL MESCO	1978.22	09/01/17
-50510	56642	RYAN MILLER	1583.78	09/01/17
-50509	56527	CRAIG MOEN	1588.90	09/01/17
-50508	56647	PAUL MONZON	430.28	09/01/17
-50507	18099	ERICA J. MYERS	1371.04	09/01/17
-50506	56742	BRODERICK NELSON	1697.08	09/01/17
-50505	56583	AMANDA NORTON	1436.03	09/01/17
-50504	56744	CHRISTIAN OLSON	1391.64	09/01/17
-50503	56503	JOHN PAGANO	1504.74	09/01/17
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-50494	18048	DARWIN STEVENS	181.23	09/01/17
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-50492	56649	EARNEST THEETGE	2644.95	09/01/17
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-50489	56723	JOHN DANIEL WILSON	367.36	09/01/17
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-50485	19092	DUSTIN J. BERTSCH	2067.57	09/01/17
-50484	56097	ALAN C. BRATT	2139.30	09/01/17
-50483	56146	ASHLEY R. CELANDER	1561.34	09/01/17
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-50481	56721	BRYCE DAHL	1834.05	09/01/17
-50480	56278	DANIEL DERY	1982.40	09/01/17
-50479	56173	RODNEY H. DICKERSON	2365.43	09/01/17
-50478	56485	JAMES DIXON	1915.47	09/01/17
-50477	56354	RYAN EGERMAN	1998.33	09/01/17
-50476	56724	ALEXIUS ENGET	1900.53	09/01/17
-50475	56631	BRETT FLESNESS	1748.82	09/01/17
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-50473	19009	LINDA R. GRANBOIS	1374.80	09/01/17
-50472	56147	JACOB J. GREGORY	2495.81	09/01/17
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-50470	19082	RANDY M. HAUGENOE	2190.83	09/01/17
-50469	56737	JASON HAYDEN	1621.02	09/01/17
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-50465	56353	JONATHAN HOLTER	2151.80	09/01/17
-50464	56102	MICHAEL A. ISENHOWER JR	2179.64	09/01/17
-50463	56787	BEAU JACOBSON	1528.06	09/01/17
-50462	56714	MARNAE KLUNGSETH	1647.53	09/01/17
-50461	56556	AMBER KOEHN	1931.39	09/01/17
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-50459	56651	CINDY KOPAC	1165.04	09/01/17
-50458	56726	ERICA KUCERA	1581.65	09/01/17
-50457	56387	AARON KURTENBACH	1641.09	09/01/17
-50456	56765	MICHAEL LICCIARDI	1567.61	09/01/17
-50455	56082	TRAVIS J. MARTINSON	2082.42	09/01/17
-50454	56767	CODY MILLER	1545.19	09/01/17
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-50452	56449	NICHOLAS NELSON	1737.89	09/01/17
-50451	56061	AMY D. NICKOLOFF	2828.30	09/01/17
-50450	56766	JEFFREY OLSON	1563.83	09/01/17
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-50437	56633	BENJAMIN WILLIAMS	1503.64	09/01/17
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-50435	56572	DANIEL ZIMMERMAN	1740.54	09/01/17
-50434	20047	KELLY ABERLE	1909.22	09/01/17

-50433	56209	MARTIN L. COLGAN	1929.89	09/01/17
-50432	56296	JOE DOSS	1946.14	09/01/17
-50431	56762	LESLIE HAMRICK	978.31	09/01/17
-50430	56490	RICHARD KIMBALL II	1835.32	09/01/17
-50429	56771	LACEY MIZELL	1102.33	09/01/17
-50428	56301	TRAVIS MIZZELL	1255.12	09/01/17
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-50422	56270	WILLIAM TRACY III	3033.06	09/01/17
-50421	25030	PEDAR A. ANDRE	1373.51	09/01/17
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-50419	56517	THOMAS HARTLEY	2369.94	09/01/17
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-50409	56543	DAVID CURTISS	1259.51	09/01/17
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-50401	56577	MARC MOHR	1454.59	09/01/17
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-50399	56628	GREG OSTER	1692.81	09/01/17
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-50396	56720	JAMES SCHMIDT	1056.66	09/01/17
-50395	56482	GARY SKABO JR	1252.51	09/01/17
-50394	56526	GARY SKABO SR	1061.92	09/01/17
-50393	56686	TIMOTHY SNEATH	1253.54	09/01/17
-50392	56167	MATTHEW TUTAS	1485.56	09/01/17
-50391	56652	IAN WEIGEL	1475.58	09/01/17
-50390	56451	DAVID WITTMAN	1665.08	09/01/17
-50389	56409	KENDELL BROWN	1142.39	09/01/17
-50388	56370	JEFFREY BRYSON	2077.14	09/01/17
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-50386	56381	MORKATAA DHINAA	1767.10	09/01/17
-50385	56478	KYLE FLEMING	1163.50	09/01/17
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-50370	56389	THOMAS ATOR	1403.20	09/01/17
-50369	56735	DAMARA GREGORY	1029.31	09/01/17
-50368	56596	KATRINA HENRY	796.11	09/01/17
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-50354	27091	JOSEPH G. MONSON	1170.05	09/01/17
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-50352	56785	GARY ROBB	1232.74	09/01/17
-50351	56757	TYRELL SMITH	1093.43	09/01/17
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-50344	56598	TERRY HARP	1864.01	09/01/17
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-50335	56488	MARK BRUINEKOOL	1204.94	09/01/17
-50334	56367	TONY SCOTT	854.20	09/01/17
-50333	56340	MICHAEL SIMPSON	1683.65	09/01/17
-50332	56640	BRANDON KUZEL	1330.36	09/01/17
-50331	56200	GINA MOTTL	117.82	09/01/17
-50330	56693	KELSY NEHRING	1205.22	09/01/17

-50329	56585	SCOTT VASSEN	2377.68	09/01/17
-50328	56352	BRIAN YOUNG	1777.15	09/01/17
-50327	56579	JOSEPHINE CHING	2059.00	09/01/17
-50326	56347	CHRISTINE EDWARDS	1477.93	09/01/17
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-50320	56516	BARBARA ELLICO	1260.16	09/01/17
-50319	56375	KRISTIN THORSON	1586.87	09/01/17
-50318	56710	ALYSSA WIEDRICH	1275.13	09/01/17
-50317	36006	NEIL W. BAKKEN	1960.18	09/01/17
-50316	56366	KENT SKABO	1839.43	09/01/17
-50315	56180	DIANE C. HAGEN	645.13	09/01/17
-50314	56796	ETHAN BECK	155.14	09/01/17
-50313	56736	TIFFANY BRUNO	871.71	09/01/17
-50312	56777	KELLY CRUSCH	156.86	09/01/17
-50311	48102	KAYLA J. HELL	785.84	09/01/17
-50310	56784	MONTANA ICENOGLE	29.56	09/01/17
-50309	56638	WANDA OLAF	566.70	09/01/17
-50308	56111	ANDREA L. PLACHER	1005.25	09/01/17
-50307	56683	ANN REINKE	178.42	09/01/17
-50306	56364	JASON SAGE	860.96	09/01/17
-50305	48013	DEBORAH A. SLAIS	1335.82	09/01/17
-50304	56588	KIRBY STRICKLAND	944.04	09/01/17
-50303	48034	YVONNE A. TOPP	333.19	09/01/17
-50302	56411	LISA WEBB	984.31	09/01/17
-50301	56298	SAWYER ZENT	232.42	09/01/17
-50300	52011	ANN M. KVANDE	1536.75	09/01/17
-50299	56041	BARBARA J. PETERSON	1341.78	09/01/17
-50298	56578	BRENDA SCHMIDT	1278.77	09/01/17
-50297	52020	SHAWN WENKO	2213.63	09/01/17
-50296	56538	KATHY HAVSKJOLD	349.11	09/01/17
-50295	56222	VIVIAN KALMIK	522.55	09/01/17
-50294	53002	AMY A. KRUEGER	2215.14	09/01/17
-50293	56271	SABRINA A RAMEY	1385.52	09/01/17
-50292	56310	JENNIFER STRIETZEL	1249.24	09/01/17
-50291	56625	JEREMY WRIGHT	1694.44	09/01/17
-50290	56646	THOMAS FRETLAND	1569.59	09/01/17
-50289	56799	JULIE HATTER	1630.74	09/01/17
-50288	56479	TRISTA HENRIE	1698.17	09/01/17
-50287	56213	ROBERT JASON HILLARD	2066.02	09/01/17
-50286	56728	TERRI JOHNSON	1136.55	09/01/17
-50285	56801	AUSTIN TROTTIER	1338.70	09/01/17
-50284	56604	BRET WILLIAMS	2820.74	09/01/17
-50283	56435	KEVIN POWERS	1830.76	09/01/17
-50282	56512	PEGGY MASTERS	1601.33	09/01/17
-50281	56764	CHERYL PIERZINA	2553.76	09/01/17
-50280	56293	DAVID TUAN	3284.20	09/01/17
-50279	IAFF LOCAL 3743	IAFF LOCAL 3743	550.00	09/01/17
-50278	DEFER COMP ROTH	NATIONWIDE RETIREMENT SO	19147.18	09/01/17

-50277	ND CHILD SUPPOR	ND CHILD SUPPORT ENFORCE	2505.30	09/01/17
-50276	FIT	U.S. TREASURY	205545.91	09/01/17
-50275	MERITAIN HEALTH	MERITAIN HEALTH	8094.09	09/06/17
1709	3035	FIRST DAKOTA ENTERPRISES INC	22851.90	08/22/17
1710	3035	FIRST DAKOTA ENTERPRISES INC	96168.00	09/05/17
89553	56800	ROBERT VANWINKLE	1482.72	08/18/17
89554	56406	RICHARD RADEMACHER	2054.59	08/18/17
89555	22014	GARY L. GLOVATSKY	2067.71	08/18/17
89556	56770	TY BARBOT	945.10	08/18/17
89557	56426	JORDON MONSON	753.53	08/18/17
89558	25106	RICHARD S. ODEGARD	1807.33	08/18/17
89559	56778	WYATT ANDREASON	936.53	08/18/17
89560	56789	KURA GRINDELAND	969.54	08/18/17
89561	56582	JOSHUA DAGENAIS	1444.77	08/18/17
89562	32006	WILLIAM M. MCQUISTON	1330.67	08/18/17
89563	56779	CHASE ENGEN	449.29	08/18/17
89564	56790	CONNER JACOBSON	710.83	08/18/17
89758	CHILD SUPR ALAB	ALABAMA CHILD SUPPORT PA	150.00	08/18/17
89759	UT CHILD SUPPOR	CHILD SUPPORT SERVICES (	141.00	08/18/17
89760	CHILD SUPRT CT	CONNECTICUT - CCSPC	297.65	08/18/17
89761	DCI CREDIT	DCI CREDIT SERVICES INC	353.68	08/18/17
89762	DEPENDANT CARE	DISCOVERY BENEFITS	3822.37	08/18/17
89763	MI CHILD SUPPOR	MICHIGAN STATE DISBURSEM	104.75	08/18/17
89764	MN CHILD SUPPOR	MINNESOTA CHILD SUPPORT	386.40	08/18/17
89765	ND PEA	NDPEA	40.85	08/18/17
89766	CHILD SUPPORT P	PA SCDU	505.00	08/18/17
89767	PROCOLLECT SERV	PROCOLLECT SERVICES LLC	411.11	08/18/17
89768	U.S. DEPT TREAS	U. S. DEPARTMENT OF THE	247.32	08/18/17
89769	56506	RYAN EDMONDSON	3018.88	08/18/17
89770	56541	JACOB FELTES	1983.71	08/18/17
89771	56285	TYLER HOFF	9304.83	08/18/17
89772	521	WILLISTON PARK DISTRICT	905298.52	08/21/17
89773	19	AMERICAN STATE BANK	905313.52	08/21/17
89774	3277	OVERLAND AERIAL PHOTOGRAPHY	325.00	08/22/17
89775	196	KADRMAS LEE & JACKSON INC	49276.84	08/22/17
89776	252	MIDCONTINENT COMMUNICATIONS	272.73	08/22/17
89777	526	ACE HARDWARE & FLOORING	21.95	08/22/17
89778	1591	AMERICAN ASSOCIATION OF AIRPORT E	0.00	08/22/17
89779	718	AMERIPRIDE LINEN AND APPAREL SERV	220.67	08/22/17
89780	999998	ANTHONY D. DUDAS	630.70	08/22/17
89781	1897	CAR QUEST	282.52	08/22/17
89782	999999	CHRISTINA LUTHY	34.06	08/22/17
89783	1136	DAKOTA FENCE	3255.00	08/22/17
89784	2514	DAL GLOBAL SERVICES LLC	6450.00	08/22/17
89785	3230	DIAMOND RESOURCES CO	2186.12	08/22/17
89786	124	ELECTRIC & MAGNETO, INC.	650.30	08/22/17
89787	126	EMRY'S LOCKSMITHING	5.50	08/22/17
89788	2512	ENNIS PAINT, INC	3303.30	08/22/17
89789	134	FORT UNION SUPPLY & TRADE	1080.85	08/22/17
89790	139	GAFFANEY'S	20.16	08/22/17
89791	3216	GRATECH COMPANY	128729.09	08/22/17
89792	161	HOME OF ECONOMY	37.87	08/22/17

89793	162	HORIZON RESOURCES	320.00	08/22/17
89794	196	KADRMAS LEE & JACKSON INC	398259.52	08/22/17
89795	3176	MARTIN CONSTRUCTION INC	1397648.20	08/22/17
89796	243	MONTANA DAKOTA UTILITIES	6225.20	08/22/17
89797	275	NAPA AUTO PARTS	341.21	08/22/17
89798	320	NEMONT	491.16	08/22/17
89799	3275	NORTH DAKOTA ONE CALL, INC	11.55	08/22/17
89800	2853	OK TIRE STORE	1214.90	08/22/17
89801	984	ONE-STOP TRAILERZ	135.00	08/22/17
89802	362	PRO SAFE SERVICES, INC	359.00	08/22/17
89803	3177	RACHEL CONTRACTING INC	199963.24	08/22/17
89804	3276	ROADWORX, LLC	18776.43	08/22/17
89805	999998	TERRY HARP	5.99	08/22/17
89806	3072	TRACTOR & EQUIPMENT CO.	7433.49	08/22/17
89807	2361	TRAILER & TRUCK EQUIPMENT	1777.26	08/22/17
89808	2781	TRILLION AVIATION	2000.00	08/22/17
89809	489	VISA	8228.28	08/22/17
89810	1716	WILLIAMS SCOTSMAN, INC.	586.25	08/22/17
89811	518	WILLISTON HERALD	269.28	08/22/17
89812	2669	SHINGOBEE BUILDERS, INC.	158771.75	08/22/17
89813	488	VISA	612.14	08/22/17
89814	488	VISA	1270.47	08/22/17
89815	488	VISA	653.26	08/22/17
89816	488	VISA	10.00	08/22/17
89817	488	VISA	573.79	08/22/17
89818	488	VISA	1056.08	08/22/17
89819	488	VISA	414.48	08/22/17
89820	1591	AMERICAN ASSOCIATION OF AIRPORT E	275.00	08/22/17
89821	1628	TRAFFIC SAFETY SERVICES, INC.	170734.00	08/23/17
89822	999999	CAMERON FLADLAND	400.00	08/23/17
89823	999999	CODY MAHER	450.00	08/23/17
89824	999999	DON BENTH	25.00	08/23/17
89825	3044	Christ Scheen	970.00	08/23/17
89826	3119	AMB	6513.82	08/23/17
89827	56685	Brent Stiles	646.45	08/23/17
89828	AFLAC	AMERICAN FAMILY LIFE ASS	4103.84	08/28/17
89829	USABLE	USABLE	138.40	08/28/17
89830	19	AMERICAN STATE BANK	980524.80	08/28/17
89831	19	AMERICAN STATE BANK	7282952.41	08/28/17
89832	196	KADRMAS LEE & JACKSON INC	214979.47	08/28/17
89833	267	MOUNTRAIL-WILLIAMS REC	330.03	08/28/17
89834	718	AMERIPRIDE LINEN AND APPAREL SERV	238.77	08/28/17
89835	1716	WILLIAMS SCOTSMAN, INC.	2250.50	08/28/17
89836	134	FORT UNION SUPPLY & TRADE	60.00	08/28/17
89837	1610	ULTEIG	1619357.85	08/28/17
89838	PERS	NORTH DAKOTA PUBLIC EMPL	206969.65	08/28/17
89839	132	FIRST NATIONAL BANK	1636.70	08/28/17
89840	35	BANK OF NORTH DAKOTA	19976.77	08/28/17
89841	531	WILLIAMS COUNTY AUDITOR	55.99	08/28/17
89842	AVESIS	AVESIS	1820.14	08/28/17
89843	MEDICO LIFE	MEDICO LIFE AND HEALTH I	1802.09	08/29/17
89844	APARTMENT - REN	RENAISSANCE ON MAIN	0.00	08/29/17

89845	UNITED WAY UNITED WAY	40.00	08/29/17
89846	470 US POSTAL SERVICE	1498.40	08/30/17
89847	3282 Detroit Electric LLC	3800.00	08/30/17
89848	999999 JUWIE FERGUSON	1127.90	08/30/17
89849	999999 JUWIE FERGUSON	1131.31	08/30/17
89850	APARTMENT - REN RENAISSANCE ON MAIN	950.00	08/30/17
89851	2339 OFFICE DEPOT	5580.02	08/30/17
89852	243 MONTANA DAKOTA UTILITIES	2526.77	08/30/17
89853	252 MIDCONTINENT COMMUNICATIONS	104.35	08/30/17
89854	3286 PCL Fire	3612.00	08/30/17
89855	2741 JOURNEYS BY JAN	697.00	08/30/17
89856	2112 CHI ST ALEXIUS OCCUPATIONAL CLINI	15847.80	08/30/17
89857	362 PRO SAFE SERVICES, INC	826.00	08/30/17
89858	3284 RTS SHEARING LLC	176572.07	08/31/17
89859	243 MONTANA DAKOTA UTILITIES	69944.11	08/31/17
89860	267 MOUNTRAIL-WILLIAMS REC	3597.92	08/31/17
89861	364 PURCHASE POWER	1340.54	08/31/17
89862	999999 DERRICK FELTS	250.00	08/31/17
89863	999999 SUNFONIA FERRANDO	152.00	08/31/17
89864	999999 SHOGHI FARR	248.00	08/31/17
89865	999999 TRICIA BRAUTIGAM	150.00	08/31/17
89866	999999 ABIGAIL KALLEMEYN	350.00	08/31/17
89867	999999 FRANCIS BRIGHT	250.00	08/31/17
89868	999999 RAFAEL PLATAS	735.00	08/31/17
89869	999999 JENNIFER SMITH	250.00	08/31/17
89870	673 CLERK OF DISTRICT COURT	750.00	08/31/17
89871	673 CLERK OF DISTRICT COURT	750.00	08/31/17
89872	673 CLERK OF DISTRICT COURT	750.00	08/31/17
89873	56406 RICHARD RADEMACHER	2055.77	09/01/17
89874	22014 GARY L. GLOVATSKY	2089.97	09/01/17
89875	56770 TY BARBOT	229.98	09/01/17
89876	56426 JORDON MONSON	690.61	09/01/17
89877	25106 RICHARD S. ODEGARD	2124.03	09/01/17
89878	56789 KURA GRINDELAND	532.70	09/01/17
89879	56582 JOSHUA DAGENAIS	1237.35	09/01/17
89880	32006 WILLIAM M. MCQUISTON	1468.78	09/01/17
89881	CHILD SUPR ALAB ALABAMA CHILD SUPPORT PA	150.00	09/01/17
89882	UT CHILD SUPPOR CHILD SUPPORT SERVICES (	141.00	09/01/17
89883	CHILD SUPRT CT CONNECTICUT - CCSPC	297.65	09/01/17
89884	DCI CREDIT DCI CREDIT SERVICES INC	353.68	09/01/17
89885	MISSOURI CHILD FAMILY SUPPORT PAYMENT C	376.01	09/01/17
89886	MI CHILD SUPPOR MICHIGAN STATE DISBURSEM	104.75	09/01/17
89887	MN CHILD SUPPOR MINNESOTA CHILD SUPPORT	386.40	09/01/17
89888	CHILD SUPPORT P PA SCDU	505.00	09/01/17
89889	PROCOLLECT SERV PROCOLLECT SERVICES LLC	411.11	09/01/17
89890	U.S. DEPT TREAS U. S. DEPARTMENT OF THE	247.32	09/01/17
89891	56579 JOSEPHINE CHING	2099.24	09/01/17
89892	56704 JAMIE DUESSLER	398.19	09/01/17
89893	56270 WILLIAM TRACY III	2437.75	09/01/17
89894	2781 TRILLION AVIATION	3004.00	09/01/17
89895	3266 ONEOK	3549824.00	09/01/17
89896	DEF COMP PERS1 NORTH DAKOTA PUBLIC EMPL	2940.00	09/01/17

89897	275	NAPA AUTO PARTS	4220.62	09/01/17
89898	2859	CHI St. Alexius	109.00	09/01/17
89899	APARTMENT BH9	VALLEY RENTAL - BAKKEN H	450.00	09/05/17
89900	APARTMENT DAKOT	VALLEY RENTAL - DAKOTA	2850.00	09/05/17
89901	ND HEALTH	ND PUBLIC EMPLOYEES RETI	268017.30	09/06/17
89902	3218	NELSON AUTO CENTER	30179.00	09/06/17
89903	425	SHRM	199.00	09/06/17
89904	999999	RACHEL STOOLMAN	27.28	09/07/17
89905	999998	KASEY WYMAN-YOUNG	225.00	09/07/17
89906	533	WILLIAMS COUNTY TREASURER/RECORDE	1509.25	09/07/17
89907	483	VECTOR CONTROL DIST #1	72962.71	09/07/17
89908	521	WILLISTON PARK DISTRICT	73993.63	09/07/17
89909	2359	11TH STREET PROPERTY, LLC	6000.00	09/07/17
89910	3279	50 Kal Fiitness, LLC	5000.00	09/07/17
89911	526	ACE HARDWARE & FLOORING	841.01	09/07/17
89912	632	ACKERMAN-ESTVOLD	8895.00	09/07/17
89913	2274	ACME TOOLS	462.85	09/07/17
89914	3	ADVANCED ENGINEERING &	181555.01	09/07/17
89915	2882	Alabama Fire College	19850.00	09/07/17
89916	8	ALL SEASONS SPORT ABOUT, INC	187.00	09/07/17
89917	1768	ALLIANCE CONSULTING LC	70185.00	09/07/17
89918	718	AMERIPRIDE LINEN AND APPAREL SERV	1054.23	09/07/17
89919	999998	AMY D. NICKOLOFF	445.72	09/07/17
89920	25	APCO INTERNATIONAL	338.12	09/07/17
89921	2848	AT&T MOBILITY	160.44	09/07/17
89922	3267	AUTO VALUE	234.72	09/07/17
89923	33	BAKER & TAYLOR CO.	856.63	09/07/17
89924	34	BALCO UNIFORM CO., INC.	3013.78	09/07/17
89925	35	BANK OF NORTH DAKOTA	12949.91	09/07/17
89926	38	BASIN PRINTERS, INC.	640.00	09/07/17
89927	2786	BATTERIES&BULBS	41.90	09/07/17
89928	999998	BEAU JACOBSON	25.00	09/07/17
89929	1013	BLACKBURN MFG. CO.	608.36	09/07/17
89930	52	BORDER STATES ELECTRIC	1217.87	09/07/17
89931	53	BORDER STEEL	23.18	09/07/17
89932	2746	BOUND TO STAY BOUND BOOKS, INC.	420.32	09/07/17
89933	599	BRAATEN PLUMBING, INC	880.54	09/07/17
89934	56	BRADY MARTZ, CPA	23000.00	09/07/17
89935	1926	BRAUN INTERTEC CORPORATION	8481.00	09/07/17
89936	1054	C & D WATER SERVICES	43.00	09/07/17
89937	67	CAR TUNZ	550.00	09/07/17
89938	2893	Cardon Advisors Group, LLC	38888.88	09/07/17
89939	1755	CDW GOVERNMENT	6683.33	09/07/17
89940	616	CENTER POINT LARGE PRINT	28.46	09/07/17
89941	1516	CENTURYLINK	650.00	09/07/17
89942	2682	CERLIC ENVIROMENTAL CONTROLS INC	799.74	09/07/17
89943	2508	CERTIFIED LABORATORIES	4324.00	09/07/17
89944	2749	CG WILLISTON, LLC	256691.60	09/07/17
89945	710	CHANEY'S CAR & TRUCK REPAIR	415.00	09/07/17
89946	1332	CHARLES WILDER	700.00	09/07/17
89947	2912	CHI St Alexius Health Williston F	1275.00	09/07/17
89948	845	CHIEF SUPPLY	55.43	09/07/17

89949	77	CITY OF WILLISTON	16595.54	09/07/17
89950	78	CITY OF WILLISTON	28455.50	09/07/17
89951	79	CITY OF WILLISTON	50324.01	09/07/17
89952	955	CLAREY'S SAFETY EQUIPMENT, INC	35803.76	09/07/17
89953	3227	Classroom Library Company	336.84	09/07/17
89954	2124	COBORN'S INC.	305.19	09/07/17
89955	1662	CONNECTING POINT COMPUTER CENTER	6441.00	09/07/17
89956	567	CRAIG'S SMALL ENGINE REPAIR	45.12	09/07/17
89957	548	DAKOTA DIESEL	350.41	09/07/17
89958	2015	DAKOTA FIRE EXTINGUISHERS	565.32	09/07/17
89959	935	DAKOTA REALTY AND LEASING INC	1500.00	09/07/17
89960	93	DAKOTA SUPPLY GROUP	9205.41	09/07/17
89961	2161	DAN'S TIRE SERVICE	1252.46	09/07/17
89962	999998	DAVID A. PETERSON	224.00	09/07/17
89963	999998	DAVID SASSER	278.00	09/07/17
89964	3280	Days Inn & Suites	5000.00	09/07/17
89965	1705	DEGENSTEIN'S AUTO PLUS	875.00	09/07/17
89966	671	DF LIGHTING COMPANY	374.50	09/07/17
89967	2141	DOT'S PRETZELS	526.82	09/07/17
89968	3283	DOUG HUCK	99.99	09/07/17
89969	568	DPC INDUSTRIES, INC	5856.80	09/07/17
89970	2711	EAGLE ENGRAVING INC	248.00	09/07/17
89971	2926	Earnest Theetge	14.22	09/07/17
89972	1665	EAST & WEST EXCAVATING LLC	55648.81	09/07/17
89973	2017	EDM PLUBLISHERS, INC.	99.49	09/07/17
89974	124	ELECTRIC & MAGNETO, INC.	60.63	09/07/17
89975	577	EMERGENCY MEDICAL PRODUCTS	575.79	09/07/17
89976	126	EMRY'S LOCKSMITHING	43.05	09/07/17
89977	2512	ENNIS PAINT, INC	1160.50	09/07/17
89978	2732	ENTERPRISE FINANCIAL	294.00	09/07/17
89979	2137	ENVIRONMENTAL RESOURCE ASSOCIATES	397.51	09/07/17
89980	2097	EVIDENT CRIME SCENE PRODUCTS	1108.75	09/07/17
89981	2960	EXPERT AUTO GLASS	325.00	09/07/17
89982	668	FASTENAL COMPANY	53.37	09/07/17
89983	921	FISHER SCIENTIFIC	130.26	09/07/17
89984	134	FORT UNION SUPPLY & TRADE	233.56	09/07/17
89985	354	FURUSETH LAW FIRM, PC	37677.50	09/07/17
89986	139	GAFFANEY'S	1961.72	09/07/17
89987	1096	GALLS, LLC	366.94	09/07/17
89988	2644	GLOBAL EQUIPMENT CO, INC.	2019.12	09/07/17
89989	1154	GOOSENECK IMPLEMENT	883.43	09/07/17
89990	2865	GPM	443.99	09/07/17
89991	2552	GRAINGER	166.01	09/07/17
89992	846	GRAND FORKS FIRE EQUIPMENT LLC	314.31	09/07/17
89993	3016	GRAYBAR	12975.00	09/07/17
89994	144	GRAYMONT WESTERN CANADA	17061.64	09/07/17
89995	2892	Great American Financial Services	284.90	09/07/17
89996	539	HACH	362.38	09/07/17
89997	624	HAMERS AUTOMOTIVE	5805.38	09/07/17
89998	151	HAWKINS, INC.	14128.13	09/07/17
89999	161	HOME OF ECONOMY	5.96	09/07/17
90000	162	HORIZON RESOURCES	5298.41	09/07/17

90001	163	HOSE AND RUBBER SUPPLY	45.77	09/07/17
90002	2553	IDEXX LABORATORIES	1172.64	09/07/17
90003	1503	iDSS GLOBAL LLC	250.00	09/07/17
90004	2743	INFORMATION DATA TECHNOLOGIES	1056.65	09/07/17
90005	2636	INTELLICORP	86.90	09/07/17
90006	2532	INTERNATIONAL CODE COUNCIL, INC.	55.00	09/07/17
90007	4561	INTERNATIONAL CODE COUNCIL, INC.	69.00	09/07/17
90008	2322	INTERSTATE BILLING SERVICE, INC	456.50	09/07/17
90009	999998	JACOB R. HENDRICKS	25.00	09/07/17
90010	1609	JMAC RESOURCES	619168.70	09/07/17
90011	2931	John Hoskins	550.00	09/07/17
90012	2741	JOURNEYS BY JAN	532.00	09/07/17
90013	3196	JR CUSTOM FINISHING	150.00	09/07/17
90014	2639	KATIE L. SMITH LLC	2050.00	09/07/17
90015	2227	KONICA MINOLTA PREMIER FINANCE	486.24	09/07/17
90016	212	KOTANA COMMUNICATIONS	6836.55	09/07/17
90017	591	LEXIS NEXIS	963.14	09/07/17
90018	3278	Little Foot Adventures	5000.00	09/07/17
90019	233	LYLE SIGNS INC.	5289.10	09/07/17
90020	1821	MARCO	92.55	09/07/17
90021	2824	MARCO, INC.	403.26	09/07/17
90022	3252	MARLIN BUSINESS BANK	29625.83	09/07/17
90023	1209	MASS MARKETING INC.	430.00	09/07/17
90024	240	MATHISON COMPANY	32.98	09/07/17
90025	585	MCCODY CONCRETE PRODUCTS, INC	412.27	09/07/17
90026	999998	MEGAN PETERSON	59.50	09/07/17
90027	999998	MELANIE RUSSELL	25.00	09/07/17
90028	999998	MELANIE RUSSELL	25.00	09/07/17
90029	2685	MENARDS	486.50	09/07/17
90030	3289	MFCP	589.44	09/07/17
90031	250	MICROMARKETING ASSOCIATES	98.68	09/07/17
90032	252	MIDCONTINENT COMMUNICATIONS	75.00	09/07/17
90033	261	MON-DAK HTG & PLG, INC.	450.00	09/07/17
90034	243	MONTANA DAKOTA UTILITIES	41096.04	09/07/17
90035	267	MOUNTRAIL-WILLIAMS REC	2815.38	09/07/17
90036	2374	MUNICIPAL GOVERNMENT ACADEMY	25.00	09/07/17
90037	1772	MYGOV, LLC	1520.00	09/07/17
90038	275	NAPA AUTO PARTS	755.96	09/07/17
90039	290	ND DEPT OF TRANSPORTATION	275.39	09/07/17
90040	297	ND ONE CALL	484.60	09/07/17
90041	3291	NDSCS Allied Health Careers	80.00	09/07/17
90042	319	NELSON INTERNATIONAL	2147.03	09/07/17
90043	3132	NEO SOLUTIONS, INC	1857.72	09/07/17
90044	1733	NOBLE INDUSTRIAL SUPPLY CORP	804.49	09/07/17
90045	3287	NORMONT EQUIPMENT CO.	1195.00	09/07/17
90046	1494	NORTH DAKOTA INSURANCE DEPARTMENT	315.00	09/07/17
90047	3275	NORTH DAKOTA ONE CALL, INC	15.40	09/07/17
90048	332	NORTHWEST NARCOTICS TASK FORCE	53100.27	09/07/17
90049	333	NORTHWEST SUPPLY & R&R TROPHIES I	719.15	09/07/17
90050	1923	NOVA FIRE PROTECTION, INC	575.00	09/07/17
90051	690	O'REILLY AUTO PARTS	41.15	09/07/17
90052	2339	OFFICE DEPOT	5255.02	09/07/17

90053	343	OLYMPIC SALES, INC.	947.14	09/07/17
90054	1956	PIERCE AUTO BODY INC	4751.92	09/07/17
90055	3285	PILOT THOMAS LOGISTICS, LLC	1430.50	09/07/17
90056	1051	POET ETHANOL PRODUCTS, LLC	3992.20	09/07/17
90057	1974	PORTS TO PLAINS ALLIANCE	500.00	09/07/17
90058	788	PRO CARE CARPET CLEANING	3350.00	09/07/17
90059	362	PRO SAFE SERVICES, INC	203.00	09/07/17
90060	367	QUILL CORPORATION	515.37	09/07/17
90061	999998	RANDY M. HAUGENOE	350.33	09/07/17
90062	2688	RECORD KEEPERS LLC	32.00	09/07/17
90063	2922	RED ROCK FORD	72.31	09/07/17
90064	390	RICHARD A. JOHNSON	3600.00	09/07/17
90065	1274	SAFEGUARD BUSINESS SYSTEMS	1137.72	09/07/17
90066	2012	SANI-STAR	200.00	09/07/17
90067	409	SANITATION PRODUCTS	3944.18	09/07/17
90068	3066	SCHWAB MFG. & ENVIRONMENTAL SUPPL	148.29	09/07/17
90069	3281	SHARE CORPORATION	453.28	09/07/17
90070	2878	SHEPHERD'S GARDEN	92.87	09/07/17
90071	669	SHIRT WORX	1613.20	09/07/17
90072	3265	SOLENIS LLC	3183.10	09/07/17
90073	426	SOURIS RIVER TELECOMMUNICATIONS	3.68	09/07/17
90074	817	STEIN'S, INC	10.30	09/07/17
90075	3290	SUNSET LAW ENFORCEMENT	736.28	09/07/17
90076	1186	SYN-TECH SYSTEMS, INC.	825.00	09/07/17
90077	3072	TRACTOR & EQUIPMENT CO.	7959.86	09/07/17
90078	2195	TRANSUNION RISK & ALTERNATIVE	39.80	09/07/17
90079	2781	TRILLION AVIATION	3170.00	09/07/17
90080	2628	UL LLC	6081.10	09/07/17
90081	1610	ULTEIG	36835.34	09/07/17
90082	750	UPS	161.47	09/07/17
90083	482	VAC-U-JET	1045.20	09/07/17
90084	484	VERIZON WIRELESS	7314.62	09/07/17
90085	1373	VILLAGE FAMILY SERVICE CENTER	8760.00	09/07/17
90086	487	VISA	20211.29	09/07/17
90087	2118	VISA	533.25	09/07/17
90088	812	WALLWORK TRUCK CENTER	320.80	09/07/17
90089	3247	Wesslen Construction	387478.86	09/07/17
90090	3292	Western Dakota Energy Association	75.00	09/07/17
90091	503	WESTLIE MOTOR CO.	117.90	09/07/17
90092	2713	WILLIAMS COUNTY ASSESSOR'S OFFICE	175508.00	09/07/17
90093	532	WILLIAMS COUNTY HIGHWAY DEPT.	32.14	09/07/17
90094	533	WILLIAMS COUNTY TREASURER/RECORDE	410.00	09/07/17
90095	1716	WILLIAMS SCOTSMAN, INC.	3473.31	09/07/17
90096	3262	Williston Auto	35.57	09/07/17
90097	514	WILLISTON COMMUNITY LIBRARY	306.86	09/07/17
90098	1878	WILLISTON CONVENTION & VISITOR BU	7396.86	09/07/17
90099	518	WILLISTON HERALD	3307.48	09/07/17
90100	519	WILLISTON HOME & LUMBER	14.11	09/07/17
90101	522	WILLISTON PD PETTY CASH	76.63	09/07/17
90102	525	WILLISTON TIRE CENTER	4279.29	09/07/17
90103	527	WILLISTON VOLUNTEER	6000.00	09/07/17
90104	3200	WILTECH PEST SOLUTIONS	125.00	09/07/17

90105	3122 Witmer Public Safety Group Inc.	605.98	09/07/17

Total Claims: $ 21,151,578.97
Total Payroll: $ 1,988,639.07
Grand Total: $ 23,140,218.04
# of Checks: 1001

2) Business License
C. Building Official
1) Master Plumber
a. Arne Lynne – Magic City Mechanical
2) Journeyman Mechanical
a. Kevin Stafford – Polar Refrigeration
b. Jesse Hampton – Day Enterprises
c. Alexander Painter – Day Enterprises
d. Marcus Trent Berry – Day Enterprises
e. James Ray Berry – Day Enterprises
f. Russell Welch – Day Enterprises
g. Josh King – Day Enterprises
3) Fuel and Gas Installer
a. Kevin Stafford – Polar Refrigeration
b. Arne Lynne – Magic City Mechanical
D. City Planner
E. Authorization to Bid
1) RFQ for Environmental, Health Security and Site Safety Consulting Services for the XWA Williston Basin International Airport
F. Assessor

Motion by Cymbaluk, Seconded Piesik by to approve the consent agenda. UNANIMOUS BY VOICE VOTE

3. Public Hearings
A. Budget 2018 – Appropriation Levy Resolution 17-032

City Administrator David Tuan introduces item 3A:

The 2018 budget represents a bit of a change for the City of Williston, they spent last two and a half months working in department subgroups to evaluate the needs for next year, and looking into the costs that incurred during the busy boom period and try to make reductions where they can and try to plan a little farther ahead. The last couple years had been busy and the traditional five year planning method has been reduced to one to two years, this is the first year going back to the five year planning look ahead and incorporating some of those changes. There is a slight increase in 2018 over 2017 which reflects increase in activities in the community and focusing on the department needs that have gone unaddressed in the last few years that have been overlooked due to other infrastructure and project improvements. Overall the core operational departments have seen a decrease in their operating budgets by $15 million over last year. It speaks to the commitment the department has made to realize some changes and go with some sacrifices for 2018, focusing on emergency services specifically on the police end, facility improvements and corridor improvements.

City Auditor John Kautzman presents the figures of the 2018 budget:

The resolution presented here to consider appropriation tally of $153,177,629.00 and the levy proposed $4,823,000.00, that dollar amount is the same as last year in order to stay at the zero growth requirement by the state without public notification. If approving resolution with those tallies, it will be sent to the county to lock in the levy and then the appropriation number will be sent on to the state.

Mayor Klug opened Appropriation Levy Resolution 17-032 to the public hearing.
Mayor Klug repeated his request for public comment two additional times. Hearing no response, Mayor Klug declared the hearing closed.

Motion by Bekkedahl, Seconded by Cymbaluk to approve the 2018 budget as submitted in the amount of $153,177,629.00 and levy of $4,823,000.00.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

B. Public Hearing to Consider a Zone Change Request from M-1:Light Industrial to C-2:Commercial for Lots 7 and 8, Block 3, Missouri Ridge Park to Convert an Existing Workforce Housing Camp into a Hotel – Nabors Drilling Technologies USA, Ind.

Rachel Laqua of the Planning and Zoning Department presented the following background of this request for zone change:

The property owner is Nabors Drilling and the property in discussion is a ten acre piece of property located in the Missouri Ridge Commercial Park. Rachel Laqua points to the map presented at the hearing which illustrates the layout of that property and the properties nearby.

The purpose of this application is to repurpose the existing vacant workforce housing into a hotel property. The workforce housing complex was permitted by Williams County and was brought into the ETJ (Extra Territorial Jurisdiction) the beginning of 2015 and was rezoned to M:1 light industrial in April of 2016 as part of the larger ETJ rezoning process. The surrounding area was also rezoned to M:1 light industrial to keep with the county's future plans for the area as an employment zone. The M:1 light industrial zone was most consistent with the county zoning in place when the ETJ was created.

The surrounding properties are all zoned M:1 light industrial and have industrial uses on them.

As part of the review for a land use permit amendment, the City considered the following items as noted in the city comprehensive plan:

1. Is the proposed land use compatible with the existing land uses existing zoning designations or approved subdivisions? No, the surrounded land uses and zoning designations are all light industrial in nature.

2. Is the proposed change compatible with surrounding future land uses or does it result in

the need for other land use changes to bring out future land use compatibility, and if so, have those changes been included in the proposed amendment? – No, it is not compatible with surrounding future land uses. The comprehensive plan discusses the majority of the Missouri Ridge Commercial Park as building out as light industrial uses which follow the original county employment plan for the area. The only exceptions to that are laid out in the comprehensive plan as the possibility of properties directly on the highway frontage are considered for commercial zoning. Based on the comprehensive plan, the buildout of the surrounding area this would not be an appropriate place for a commercially zoned property, it would be a single commercial lot among other light industrial properties and the lot could be sold in the future for the use of any of the permitted uses and C2 general commercial district.

3. Does the proposed change result in the need for changes for streets and roadways to bring a route to the existing future continuity and connectivity, if so, have those changes been included in the enclosed proposed amendment? The streets in the subdivision are currently gravel roads and no proposal or plan to pave them.

4. Can the proposed change be accommodated by the surrounding infrastructure such as roadways and utilities? The proposal will need to meet all required building and fire codes which would include hooking up to rural water and installing needed measures for fire suppression and septic disposal. Is the proposed change consistent with the goals and objectives of the comprehensive plan and with other adoptive plans and policies of the City? No, the comprehensive plan discusses the majority of the Missouri Ridge Commercial Park building out as light industrial uses following the original county employment plan for the area.

For water, the applicant proposes to connect to a 6' on the rural water line located along 58th street NW, and will provide water tanks for fire compression and will install fire hydrants. For sewer, the applicant proposed to remediate the existing and permitted sewage lagoon and will install a septic system at the NW corner of the property and will connect the existing lift stations in to the new septic station. Clarification was that the sewage lagoon is unpermitted, they were caught in the middle of the process, it is out there and need to be remediated. The septic system in original conversations were going to pump and haul the septic off the site and they are looking at this point to do a drain field, however they have not done soil testing to see if it is feasible.

The roads in the area are not paved, the applicant proposed to place commercial use on a gravel road, the building will need to meet all building codes and would be evaluated as if it was a new building and that includes updating the foundation and the building department noted that the existing structures and proposed claim those structures will need to be submitted for permitted review.

The fire department noted that the building needs to meet all required fire codes and evaluated again as if it were a new building. The fire department noted that the plan is feasible. There is no requirement for parks or open space, but needs to meet all site plan requirements including parking spaces as required to code with pavement in concrete and asphalt and landscaping the property according to code.

The township was notified of the proposal, commented that the zoning should remain the same. Trying to start a paving district to help with the flow of traffic on 58th street, however they are not getting the required signatures needed at this time, but on account of funding the township is limited to what it can do.

The city engineer noted that granting the rezoning would create an island of commercial land

use inside a sea of industrial land uses, such spot zoning requests shall be rejected.

On June 27th an Ad Hoc committee meeting was held with all department heads and Nabor representatives met to discuss everything that would be required if the application were permitted. It was recommending by the staff to the Planning and Zoning Commission to deny the permit request based on the comprehensive plan

At the Planning and Zoning Commission meeting, they clarified the fact that there was no intention to pave the roads in the Missouri Ridge Commercial Park and clarified that the septic system and the amount of water that the holding tanks for the sprinkler system would hold. Nabors confirmed that they were working with the rural fire departments and the holding tanks would be charged at all times so the sprinkler system would work according to code.

The Planning and Zoning Commission moved to recommend to the City Board of Commission to deny the zone change request from M-1 light industrial to C-2 general commercial for lot 7 and 8 block 3 of the Missouri Ridge Commercial Park which passed 5-0 with two members absent.

Surrounded use is all light industrial inside the ETJ. Northwest is Aspen lodge is zoned county heavy commercial is most similar to light industrial.

Mayor Klug opened the Public Hearing:

Representing Nabor Industries, Orlando Romero (present at the meeting) and Lance McCarthy (present by phone) brought the following to the hearing:

Nabors purchased the property to the north of the prior property that now belongs to C&J. The property in discussion now was known as the Go Motel, and when purchased, it was a hotel, which was the intended use at that time. The property was then rezoned by the City. The camp now is a 144 man site for transient workers. They will not be permanent residents, and Nabors wants to operate this property as a hotel catered to this group and open to the public. It was understood by Nabors that if they meet all thresholds and up to building standards, it would be considered to permit the zoning change. Mr. Romero asked that they are not treated any differently from anyone else.

The Nabors representatives are challenging that they are in a sea of industrial, as Peterbilt operates as a retail front, not as an industrial front, and there is a Ramada very near as well. Cymbaluk confirms that the only properties are operating as commercial are those with highway front properties.

To address the Planning and Zoning issue about the roads being gravel in their presentation, Mr. Romero commented that they would have no problem with their prorated share of paying for maintaining, paving or improving the roads. They will be happy to do any type of improvements and they want to contribute to the area as they have been in the community since 2008.

For the employees, Romero and McCarthy addressed that it is unlikely that these transient workers live in the area and will not make an investment to purchase a home in the area. They can live anywhere, however, they have families established in other places. It is difficult for them to pack up and relocate, therefore would be difficult for Nabors to sell this point to the employees. As far as other housing alternatives here, they do corporate housing as a lease for a while, and others drive in from somewhere else. They are not leasing their own apartments since this is not an economic option for them. Nabors has facilities in Texas that they have to use for their employees the same way as they are proposing for the development they would like to bring to operation here, but they cannot confirm the zoning of the Texas.

Nabors bought this property as Go Motel, and did not foresee the difficulty to use it as a motel again. When trying to bring it back to operational, they were informed that the septic system was not permitted, but when purchased it was presented as permitted. When they purchased it was zoned as commercial, but then the EPJ expansion rezoned it. There was discussion that when purchased, it indicated that it was approved for workforce housing in a county commercial zone, but the City zoned it as light industrial.

Nabors has a budget of $1.2 million for this project, and if rezoning was accomplished, they will start architectural engineering drawings within 60 days, and would look at 2nd quarter next year to move individuals into the motel. The employees do come into town and spend money. The new facility may not even have food service on site.

Mayor Klug asked if anyone else from the public had anything they wanted to bring to the hearing and repeated his request for public comment two additional times. Hearing no response, Mayor Klug declared the hearing closed.

Commissioner Piesik commented how Nabors Industries provide the City with an opportunity as they are an oil company that brings a workforce; an oil city is what Williston will always be known for.

Mayor Klug commented that the unpaved road presents an issue when changing a zone to commercial. Commissioner Piesik had suggested that perhaps they could make a condition that Nabors make road improvements as it would also benefit the motel and the surrounding entities as well.

It was confirmed by Laqua that the difference between Anderson and Wood Construction and this facility is that the zones that they are placed in are different zones. This one is in an industrial zone where these types of facilities are not permitted. Anderson Wood was in a residential land use zone, it was an R5 zone and fit with the comprehensive plan and they brought property up to the standard. It is unknown if they were always in the ETJ.

Motion by Cymbaluk, Seconded by Brostuen to follow the recommendation of the Planning and Zoning to deny the zoning change request from M-1 light industrial to C-2 General Commercial on Lot 7 and 8, Block 3 of Missouri Ridge Commercial Park.
AYE: Brostuen, Cymbaluk, Klug
NAY: Bekkedahl, Piesik
ABSENT AND NOT VOTING: CARRIES: 3-2

4. Bid Openings
5. Accounts, Claims and Bills Not Approved in the Consent Agenda
6. Ordinances
7. Petitions, Communications and Remonstrance's
   A. Williston High School – Street Close Request - Homecoming Parade Oct 6th

Williston High School is requesting a street closure for the homecoming parade for October 6, 2017.

Motion by Cymbaluk, Seconded by Brostuen to approve assuming both Chief Peterson and Chief Catrambone sign off as well as Public Works director.
UNANIMOUS BY VOICE VOTE

B. Clean Williston Fall Cleanup Declaration – Public Works

Mayor Klug reads the Clean Williston Fall Cleanup Declaration as follows:

WHEREAS, October 14th, marks Clean Williston Fall Cleanup Day, which brings people together for a common cause that helps boost the community's spirit,

WHEREAS, the Clean Williston Committee will designate as its fall date October 14th, 2017, as the city-wide cleanup day with October 21st as an alternate date in the event of inclement weather, and will provide supplies and dumpsters at Davidson Park,

WHEREAS, through the dedication and time of volunteers whether individuals, organizations or private companies and the donations from civic and private groups, Clean Williston has become very successful,

WHEREAS, the Clean Williston Committee encourages everyone to take part in the cleanup; from large groups to individuals,

NOW, THEREFORE, I Howard Klug, by virtue of the authority vested in me as mayor of the City of Williston, do hereby proudly proclaim the day of October 14th, 2017 as Clean Williston Fall Cleanup Day.

8. Report of Commissioners
   A. President of the Board
      1) Cemetery Proclamation (added item)

Mayor Klug reads the Cemetery Proclamation as follows:

WHEREAS, Riverview Cemetery had its beginning with the death and burial of young Gustaf Marelius in the year 1887 when Williston was known as Little Muddy, and

WHEREAS, Riverview Cemetery, located in the heart of the City of Williston, is a history of the people, a perpetual record of yesterday and a sanctuary of peace and quiet today, and

WHEREAS, the City of Williston serves as the caretaker of Riverview Cemetery, Hillside Memorial Gardens and all present and future contiguous additions,

NOW, THEREFORE, be it resolved that I, Howard Klug, Mayor, do hereby proclaim September 13, 2017 as Riverview Cemetery Day and encourage all citizens to reflect and remember that the true treasures of the Williston cemeteries can be found in the thousands of persons buried there: the young and the old, the rich and the poor, the famous and the infamous, who came to know this as their final resting place.

Mayor Klug comments that they are going to have a celebration tomorrow afternoon from 3:00 p.m. – 5:00 p.m.

   B. Vice-President; Finance Commissioner
   C. Street and Improvement, Sanitation, Cemetery and Public Works Commissioner
   D. Fire, Police and Ambulance Commissioner
   E. Water Works, Sewer, Airport, Building and Planning Commissioner
      1) KLJ Amendment 1 to Task Order 27

Commissioner Brostuen presents Amendment 1 to Task order 27, the Amendment pertains to the goetech work that will not be done or delayed to a later time. The goetech work that will no longer be done is at the wastewater treatment lagoons, since there are no longer plans to treat wastewater at the airport site. The airport access road soil borings and geotechnical report will be delayed until closer to the design effort wraps up for the airport access road. This is a deduct of $36,565.77.

It was clarified that the sewage will be piped offsite, going from a haul to a piping system that will flow back into the City. This is estimated to be done within the first couple years of operation of the airport.

Motion by Brostuen, Seconded by Cymbaluk to approve the amendment as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

9. Report of Department Heads
   A. City Administrator
      1) Nemont Telecommunications Agreement – WRRF

City Administrator David Tuan presented the following:

This is a telecommunications agreement for the water resource recovery facility with Nemont. Negotiations had gone back a couple years to provide internet and communication services for that site that had not been previously been served, this agreement includes construction costs of $22,581.91. The facility is operational and needs these services and Nemont is ready to go.

Mr. Tuan recommends approval to Nemont in the order of $22,581.91 for telecommunication services.

Motion by Cymbaluk, Seconded by Brostuen to approve as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

   B. City Auditor
      ~~1) Resolution 17-033 Certificate of Indebtedness Series 2017~~

   C. Attorney
      1) Quit Claim Mineral Deed – City of Williston vs. Williams County

City Attorney Pete Furuseth presents the following:

Negotiations have been done by Mr. Evert to get minerals transferred from Mr. Wodnik to the City of Williston, that has been accomplished, but he also referenced the fact that the City and the County were negotiating to split the mineral interests 50/50 and has to be approved by the commission.

Mayor Klug clarifies that it was a question to the title between the parties, and Mr. Wodnik didn't want to take part in the matter, so now it's just between the City and the county. The City suggests going to the county to split the entities. If there are any royalties held, then the City

will go back retroactive because there is some production on the minerals and split that with the county.

Motion by Cymbaluk, Seconded by Brostuen to approve to go back to the County to split the minerals 50/50, and any income that's held in escrow (anything in suspense) will be divided 50/50 between the City of Williston and the County of Williams.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

2) SRO Agreement

Mayor Klug stated that this is a proposed agreement between the Williston Public School District and the City of Williston Police Department in regards to the School Resource Officer.

Chief Peterson presents the following:

This agreement involves two officers the Williston Police Department contracts with the school board. The school board provides 75 percent income, and 25 percent comes from the Williston Police Department in cooperation with the school to provide a safe environment for the school and community, which has worked well in the past. There are no changes to the contract, just some statistical changes and changes to the dates.

Chief Peterson confirmed that this is the same contract that was presented in prior years with the school, and that this is done as an annual basis to get the feedback from the school board and city attorney for items that need to be addressed or modified and budgeted every year.

It was reported that the communications challenges at the new high school, were addressed with a short term solution with the communication project between front desk and officer within the school. With the Board's approval of the radio project, that's began to come online with Kotana, should clear the radio problem in the high school, but it has not yet been solved completely. Moving forward on the project, it was a huge step forward.

Motion by Cymbaluk, Seconded by Brostuen to approve the SRO agreement between the City of Williston and the Williston Public School District as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

D. Director of Public Works
E. City Engineer
1) NE Truck Reliever Route Alignment Preference

City Engineer Bob Hanson presented the following:

The state highway department has been trying to adopt an alignment for the North East Truck Reliever Route. They presented to both the City and County with three alternate alignments for the proposed North East Truck Reliever Route. There is one blue route, a cyan route, and the black route. The state is now asking both the City and County to make a preference on preferred alignment. City Engineering would recommend that the City adopt the 'Black Route' as the City's preferred alignment for the proposed North East Truck Reliever Route contingent upon its approval by the Williams County Commission.

Engineer Hanson clarified that there has been extensive field work with biological assessments, archeological type assessments and feasibility assessments. The City also has the authority to protect the right of way inside the ETJ (Extra Territorial Jurisdiction) and it is up to the City and County to protect the right of way of this route. There is no current interest in developing the property, and the rest is already protected or is in an inaccessible property.

Hanson also answers Commissioner Piesik's question that the1804 intersection plans for the stoplight with the road coming into 1804 is yet to be determined.

Mayor Klug adds that the black route means that it is closer to the City of Williston, but is outside the expansion of the City, but it commits the City to go northwest. The black route also commits the City to preserve the route for ten years, but the City can't hold future commissions to those agreements on the black route.

Motion by Cymbaluk, Seconded by Brostuen to approve for the City to adopt the black route for the alignment of the North East Truck Reliever Route contingent upon what is approved by Williams County Commission as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

2) Change Order 1 – US Highway 2 Reconstruction City Utility Project

Bob Hanson presents Change Order 1 to the highway project west of town, which made a number of minor changes in the construction plans and resulted in minor deduction of the costs. Mr. Hanson recommends the approval of Change Order No. 1 to this project and the reduction of construction cost by about $1200.00.

Motion by Piesik, Seconded by Brostuen to approve Change Order No. 1 to the US Highway 2 Reconstruction City Utility project as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

3) Change Order 2 – US Highway 2 Reconstruction City Utility Project

This is Change Order No. 2 to the same project. The water department noted some fittings that they didn't particularly like and would like to switch some fittings to a different type and add some fittings to the sewer lines in the sewer system that is being installed as part of this project. The additional cost is $4350.64. Mr. Hanson recommends approval of this change order.

Motion by Brostuen, Seconded by Piesik to approve Change Order No. 2 to the US Highway 2 Reconstruction City Utility Project as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

F. Fire Chief
1) Fire Station 3 Change Order 5 – Shingobee Builders

Fire Chief Catrambone presented the following:

This item pertains to Change Order No. 5 for Station 3 with Shingobee builders. This is a deduction of $1130.00, and Fire Chief Catrambone recommends the approval.

Motion by Cymbaluk, Seconded by Brostuen to approve as presented for Change Order No. 5 for Shingobee Builders.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

G. Chief of Police
H. Building Official
I. City Planner
J. Economic Development
K. Airport
1) TSA Lease Agreement Extension

Anthony Dudas, Airport Director presented the following:

The current TSA lease agreement is expiring at the end of this month and continues with the same rates and charges for the same space they currently occupy on the extension. Mr. Dudas recommends approval.

Mr. Dudas clarified that the agreement has provisions to terminate upon lease, with substantial completion and acceptance of the new space at Williston Basin International Airport.

Motion by Brostuen, Seconded Cymbaluk to approve.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

2) Delta Global Cleaning Contract

The entity cleans the commercial terminal and management office, the airport went for bids for this service. The contract the airport had with Delta Global Cleaning expired 1 year ago and operated month to month since. They received 3 bids and Delta was the lowest at $7,200.00 per month and second lowest was Black Gold Cleaning for $7965.00 per month. The primary reason to go out to bid for the service is due to the vague contract the previous entity had signed, and this will allow them to keep better track and penalize if necessary for not providing sufficient cleaning services until locating to the new site. This has a 30 day written cancellation clause or upon relocation to the new Willison Basin International Airport. Mr. Dudas recommends approval.

Motion by Brostuen, Seconded Cymbaluk to approve the Delta Global Cleaning Contract as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

L. Assessor
M. Convention and Visitor's Bureau

10. Appointments and Consultations with Officers
11. Unfinished Business

A. Resolution 17-029 Alcoholic Beverage License Fees

City Auditor John Kautzman requested to hold this item once more until next meeting.

B. Request for Public Hearing October 10, 2017 – Meg-A-Latte / New Beer and Wine Alcoholic Beverage License – (Two Locations)

City Auditor John Kautzman requests to move forward with this item, advertise for the public hearing and add to the agenda for October 10, 2017 at 6:00 p.m.

Motion by Brostuen, Seconded Cymbaluk to advertise a public hearing for this issue.
UNANIMOUS BY VOICE VOTE

12. New Business
13. Executive Session
14. Adjourn

Motion by Cymbaluk, Seconded by Brostuen to adjourn.
UNANIMOUS BY VOICE VOTE

Time Adjourned: 7:16 p.m.

_____
Howard Klug, President
Board of City Commissioners

_____
John Kautzman, City Auditor

Amy J. Denz

From: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Sent: Tuesday, September 19, 2017 1:31 PM
To: Amy J. Denz; Megan M. Beyer
Cc: Josh Kueber; Steve Windish
Subject: FW: 7-804(053)900 (PCN 20788) - Preferred Alignment
Attachments: AlternativeRoute_8_4_17_map_reduced.pdf; Memorandum of Understanding 20964973.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Here are the County's preferred recommendations.

Jennifer Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

Find Ulteig on: Facebook | Twitter | LinkedIn | YouTube

CONFIDENTIAL COMMUNICATION: Emails from this individual normally contain confidential and privileged material and are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited and may be a violation of law. If you believe that you received this in error, please do not read the body of this email. Please inform the sender that you have deleted the email and any copies. Thank you.

From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Tuesday, September 19, 2017 1:26 PM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: FW: 7-804(053)900 (PCN 20788) - Preferred Alignment

SECURITY NOTICE: This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. If you have any questions about the authenticity of this message, please contact the IT help desk at x4357.

FYI

Wayne Zacher
(701) 328-4828

From: Dennis Nelson [mailto:DennisN@co.williams.nd.us]
Sent: Tuesday, September 19, 2017 12:00 PM
To: wayneaaberle@hotmail.com; David Montgomery <davidm@co.williams.nd.us>; Martin Hanson <martinh@co.williams.nd.us>; Barry Ramberg <barryr@co.williams.nd.us>; Steve Kemp <stevek@co.williams.nd.us>; Innis, Beth M. <bethi@co.williams.nd.us>
Cc: Zacher, Wayne A. <wzacher@nd.gov>
Subject: FW: 7-804(053)900 (PCN 20788) - Preferred Alignment

Sorry thought all of you got this. Mr. Zacher the Williams County Commission Approved at the Sept. 19th 2017 Meeting the preferred black route. Thank You

From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Thursday, August 17, 2017 3:46 PM
To: Dennis Nelson; 'Thomas Scott'
Cc: Wilt, Joel M.; Gathman, Bill P.; Bob Hanson; Frisinger, Chad A.; Rath, James D.; Weigel, Roger G.; Fode, Bob A.; Henke, Ron J.; David Montgomery
Subject: 7-804(053)900 (PCN 20788) - Preferred Alignment

Dennis and Tom,

The City and County signed an MOU on December 6, 2016 (see attached "Memorandum of Understanding") to preserve the necessary Right of Way for a period of 10 years pending the environmental document outcome. It was my understanding that the City and County were not in favor of either route. I was asked if there was a way we could work around cultural sites found on the previously written out "Red" alignment which tied into County Road 9 south of ND Hwy 1804. Initially the answer was "No," but upon further review we were able to develop the "Black" Route (see "AlternativeRoute_8_4_17_map_reduced" attached) .

Approximately a year ago on August 4, 2016, I sent you a request for your preferred route between the "Blue" and "Cyan" routes. At that time, there was some concern with the routes proposed, so a preferred route was not identified. Here is an excerpt from that email:

> We have studied a number of different routes and held multiple meetings to determine the best route for the Williston NE TRR. We have worked our way down to two potential alignments (See attached layout) and would like your input to identify the preferred.
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> - "Blue" Route – A combination of a few "lines on paper" that were presented at the Public Input Meeting
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The past year we have developed the "Black" Route as shown in the attached file "AlternativeRoute_8_4_17_map_reduced":

- A Cultural site was found within the corridor, but we are able to avoid it
- Crosses the Railroad at approximately 85 degrees (an overpass crossing is anticipated)
- The terrain does include deep draws and hills, but the Geotechnical investigation has not started yet (can be engineered)
- Ties into County Road 9 south of ND Hwy 1804 (goal of county)

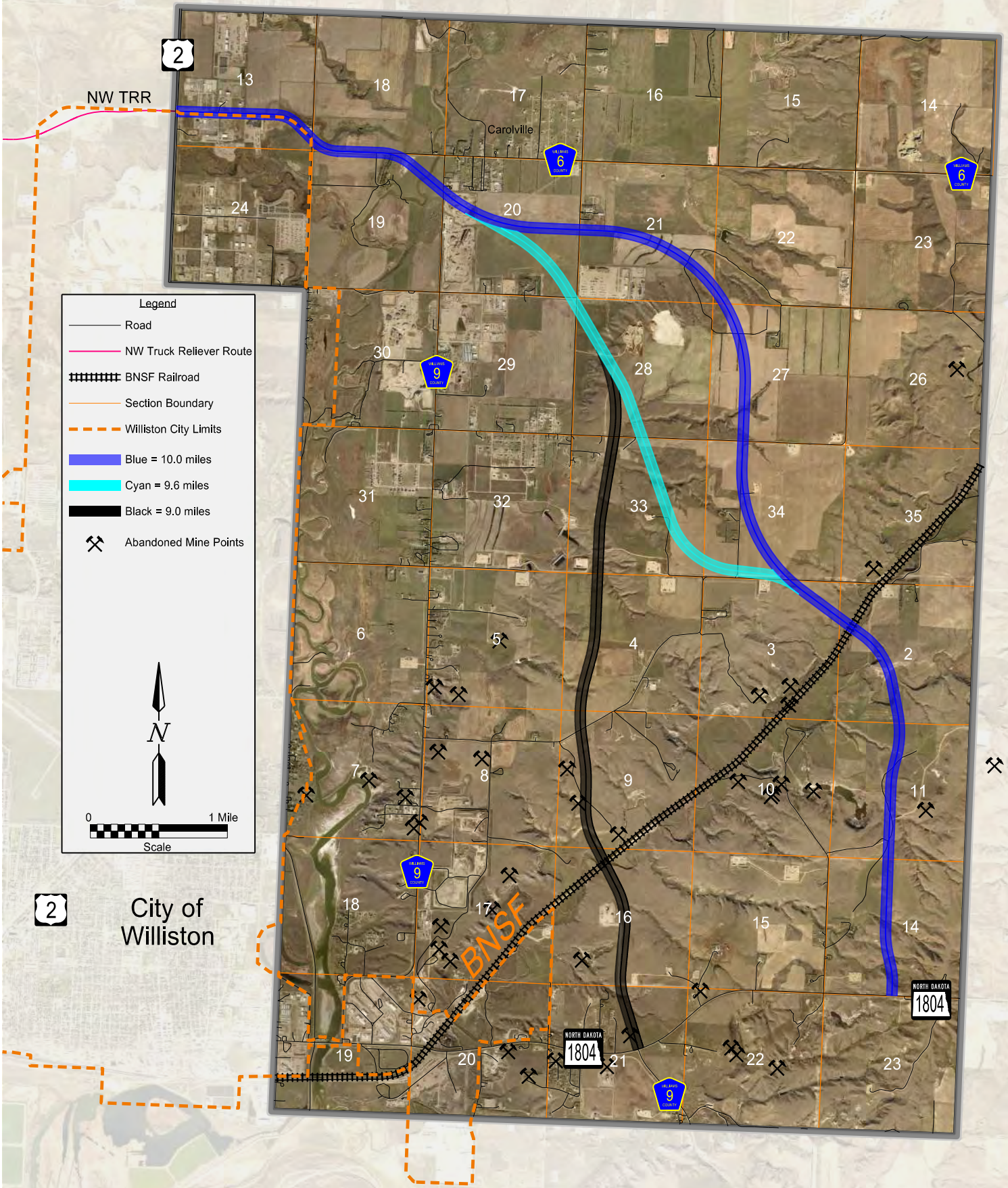
Are the City and County willing to identify a preferred alignment for the Williston NE TRR at this time?

If so, please identify the preferred route by **Thursday, September 14th**.

Let me know if you need more information to make your determination.

Wayne A. Zacher, P.E.
Transportation Engineer
Design Division
ND Dept. of Transportation
608 E Blvd Ave
Bismarck, ND 58505-0700
Phone: (701) 328-4828

Potential Williston Northeast TRR Alternatives



Williston Northeast Truck Reliever Route
Memorandum of Understanding
City of Williston, Williams County, and NDDOT

This Memorandum of Understanding (MOU) establishes the relationship between the state of North Dakota, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, ND 58505-0700, the city of Williston and Williams County who agree that:

It is in the best interest of all parties (Williston, Williams County, and NDDOT) to have NDDOT take the lead in the development of the environmental document associated with the proposed Williston Northeast Truck Reliever Route.

To better identify responsibilities for the Williston Northeast Truck Reliever Route prior to the Cost Participation and Maintenance Agreement, we are proposing the following:

I. Williston Northeast Truck Reliever Route

A. NDDOT will:

a. Complete the environmental document.

b. Obtain NEPA clearance of the environmental document.

c. Provide State Funds (100%) for preliminary engineering services to complete the environmental document.

d. Provide and pay 100% of the preliminary engineering services which are performed by NDDOT employees.

B. WILLIAMS COUNTY will:

a. Use the outcome of the environmental document to preserve the necessary right of way for the selected corridor.

b. Use the access spacing layout in the environmental document as such that the only access points identified in the environmental document will be allowed.

c. Provide guidance in developing access roadways from the truck reliever route to the existing County and Township roadways that follow the access management layouts.

d. Help to maintain the access spacing desired along the truck reliever route with appropriate zoning, platting, and internal road networks.

e. Provide local citizen contact between landowners and the NDDOT for property access as needed.

f. Prevent any land use changes along the corridor that would impact the projected traffic patterns.

DEC 2016

g. Provide the deeds for the right of way for the county roads and township section lines as needed for the Williston Northeast Truck Reliever Route.

h. Provide 100% of the maintenance of any frontage roads or backage roads that are not maintained by the adjacent landowner. Final location of frontage or backage roads will be determined during a future phase of this project.

C. **CITY OF WILLISTON will:**

a. Use the outcome of the environmental document to preserve the necessary right of way for the selected corridor.

b. Use the access spacing layout in the environmental document as such that the only access points identified in the environmental document will be allowed.

c. Provide guidance in developing access roadways from the truck reliever route to the city of Williston that follow the access management layouts.

d. Help to maintain the access spacing desired along the truck reliever route with appropriate zoning, platting, and internal road networks.

e. Prevent any land use changes along the corridor that would impact the projected traffic patterns along the corridor.

f. Provide local citizen contact between landowners and the NDDOT for property access as needed.

It is specifically agreed that if the City and/or County fail to adhere to the terms and conditions of this agreement, the City and/or County will reimburse the NDDOT for 100% of the cost of preparing the environmental document within 60 days' notice from the NDDOT. If the City and/or County fails to pay the amount bill from NDDOT within 60 days after billings, this document shall constitute an assignment of funds derived from the State Highway Tax Distribution Fund now or hereafter coming into the hands of the State Treasurer to the credit of the City and/or County, and the State Treasurer is hereby directed to deliver and pay over to NDDOT all funds credited to the City and/or County until the total thereof equals the sum billed pursuant to this agreement.

If the NDDOT decides not to move forward with construction of the project or if the time to start construction is 10 years or longer, then the City and/or County will not be required to reimburse the NDDOT for the cost of preparing the environmental document.

As future phases of project development commence, the NDDOT will coordinate with the city of Williston and Williams County on future responsibilities.

WITNESS:

Beth M. Innis
NAME (TYPE OR PRINT)

SIGNATURE

CITY OF WILLISTON

HOWARD KLUG
MAYOR (TYPE OR PRINT NAME)

SIGNATURE

12/6/16
DATE

WITNESS:

Beth M. Innis
NAME (TYPE OR PRINT)

SIGNATURE

WILLIAMS COUNTY

DAVID MONTGOMERY
COUNTY COMMISSIONER (TYPE OR PRINT NAME)

SIGNATURE

12-6-16
DATE

WITNESS:

Sondra Goebel
NAME (TYPE OR PRINT)

SIGNATURE

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Grant Levi
DIRECTOR (TYPE OR PRINT NAME)

SIGNATURE

12/21/16
DATE

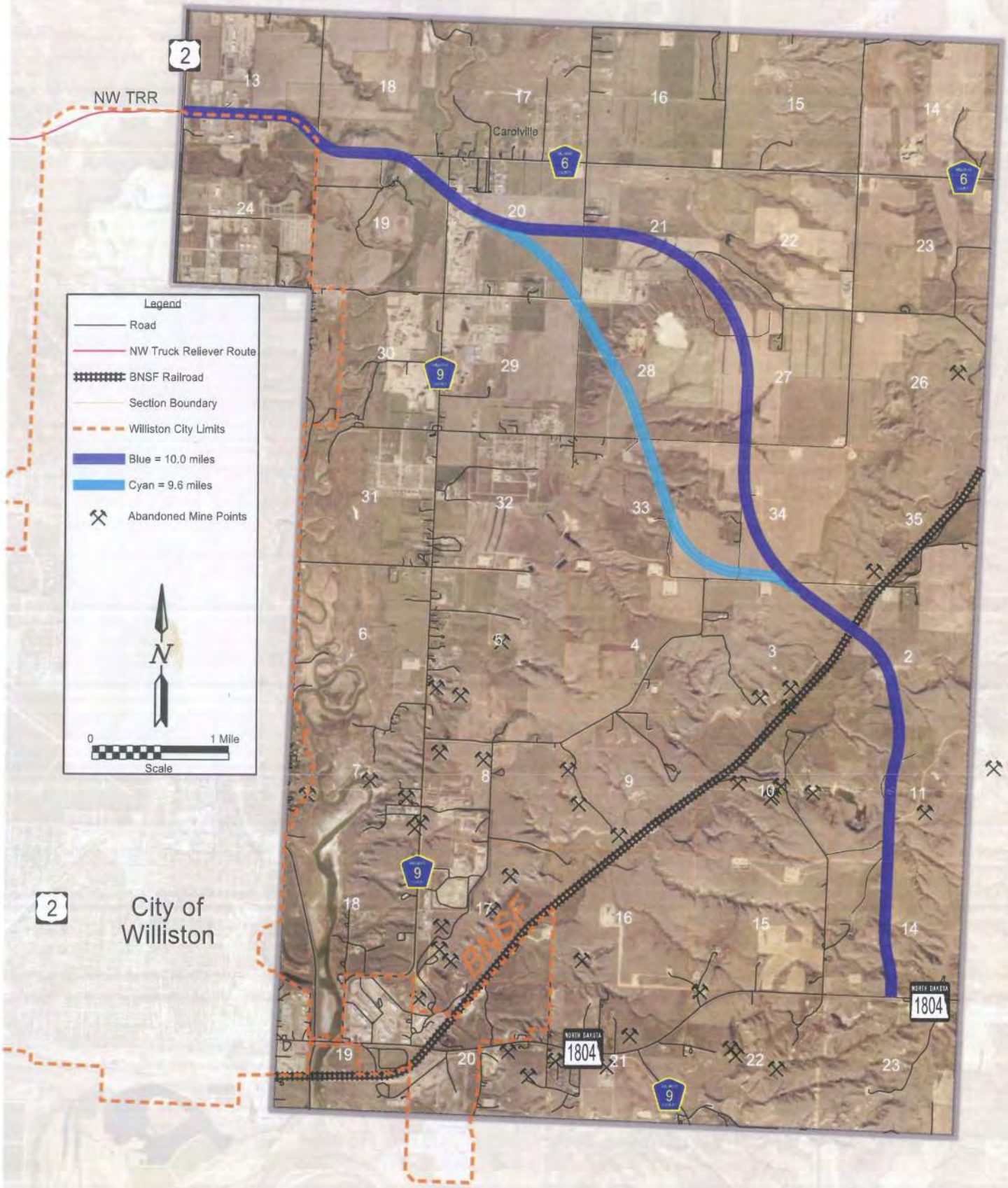
APPROVED as to substance by:

JOEL M WILT
DIVISION DIRECTOR (TYPE OR PRINT)

SIGNATURE

12/20/16
DATE

Potential Williston Northeast TRR Alternatives



will go back retroactive because there is some production on the minerals and split that with the county.

Motion by Cymbaluk, Seconded by Brostuen to approve to go back to the County to split the minerals 50/50, and any income that's held in escrow (anything in suspense) will be divided 50/50 between the City of Williston and the County of Williams.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

2) SRO Agreement

Mayor Klug stated that this is a proposed agreement between the Williston Public School District and the City of Williston Police Department in regards to the School Resource Officer.

Chief Peterson presents the following:

This agreement involves two officers the Williston Police Department contracts with the school board. The school board provides 75 percent income, and 25 percent comes from the Williston Police Department in cooperation with the school to provide a safe environment for the school and community, which has worked well in the past. There are no changes to the contract, just some statistical changes and changes to the dates.

Chief Peterson confirmed that this is the same contract that was presented in prior years with the school, and that this is done as an annual basis to get the feedback from the school board and city attorney for items that need to be addressed or modified and budgeted every year.

It was reported that the communications challenges at the new high school, were addressed with a short term solution with the communication project between front desk and officer within the school. With the Board's approval of the radio project, that's began to come online with Kotana, should clear the radio problem in the high school, but it has not yet been solved completely. Moving forward on the project, it was a huge step forward.

Motion by Cymbaluk, Seconded by Brostuen to approve the SRO agreement between the City of Williston and the Williston Public School District as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

D. Director of Public Works
E. City Engineer
1) NE Truck Reliever Route Alignment Preference

City Engineer Bob Hanson presented the following:

The state highway department has been trying to adopt an alignment for the North East Truck Reliever Route. They presented to both the City and County with three alternate alignments for the proposed North East Truck Reliever Route. There is one blue route, a cyan route, and the black route. The state is now asking both the City and County to make a preference on preferred alignment. City Engineering would recommend that the City adopt the 'Black Route' as the City's preferred alignment for the proposed North East Truck Reliever Route contingent upon its approval by the Williams County Commission.

Engineer Hanson clarified that there has been extensive field work with biological assessments, archeological type assessments and feasibility assessments. The City also has the authority to protect the right of way inside the ETJ (Extra Territorial Jurisdiction) and it is up to the City and County to protect the right of way of this route. There is no current interest in developing the property, and the rest is already protected or is in an inaccessible property.

Hanson also answers Commissioner Piesik's question that the1804 intersection plans for the stoplight with the road coming into 1804 is yet to be determined.

Mayor Klug adds that the black route means that it is closer to the City of Williston, but is outside the expansion of the City, but it commits the City to go northwest. The black route also commits the City to preserve the route for ten years, but the City can't hold future commissions to those agreements on the black route.

Motion by Cymbaluk, Seconded by Brostuen to approve for the City to adopt the black route for the alignment of the North East Truck Reliever Route contingent upon what is approved by Williams County Commission as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

2) Change Order 1 – US Highway 2 Reconstruction City Utility Project

Bob Hanson presents Change Order 1 to the highway project west of town, which made a number of minor changes in the construction plans and resulted in minor deduction of the costs. Mr. Hanson recommends the approval of Change Order No. 1 to this project and the reduction of construction cost by about $1200.00.

Motion by Piesik, Seconded by Brostuen to approve Change Order No. 1 to the US Highway 2 Reconstruction City Utility project as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

3) Change Order 2 – US Highway 2 Reconstruction City Utility Project

This is Change Order No. 2 to the same project. The water department noted some fittings that they didn't particularly like and would like to switch some fittings to a different type and add some fittings to the sewer lines in the sewer system that is being installed as part of this project. The additional cost is $4350.64. Mr. Hanson recommends approval of this change order.

Motion by Brostuen, Seconded by Piesik to approve Change Order No. 2 to the US Highway 2 Reconstruction City Utility Project as presented.
AYE: Brostuen, Bekkedahl, Piesik, Cymbaluk, Klug
NAY:
ABSENT AND NOT VOTING: CARRIES: 5-0

MEMORANDUM

TO: Ron Henke, NDDOT Deputy Director for Engineering

FROM: Wayne Zacher, Transportation Engineer

DATE: September 19, 2017

SUBJECT: 7-804(053)900 (PCN 20788) – Preferred Alignment for Williston NE TRR

Both the City of Williston (Enclosure B) and Williams County (Enclosure C) have identified the Black Route (Enclosure A) as their preferred alignment for the Williston NE Truck Reliever Route.

Does the NDDOT concur with the City and County on the preferred route?

✓ Yes ____ No

Additional comments for SS-7-804(053)900 (PCN 20788):

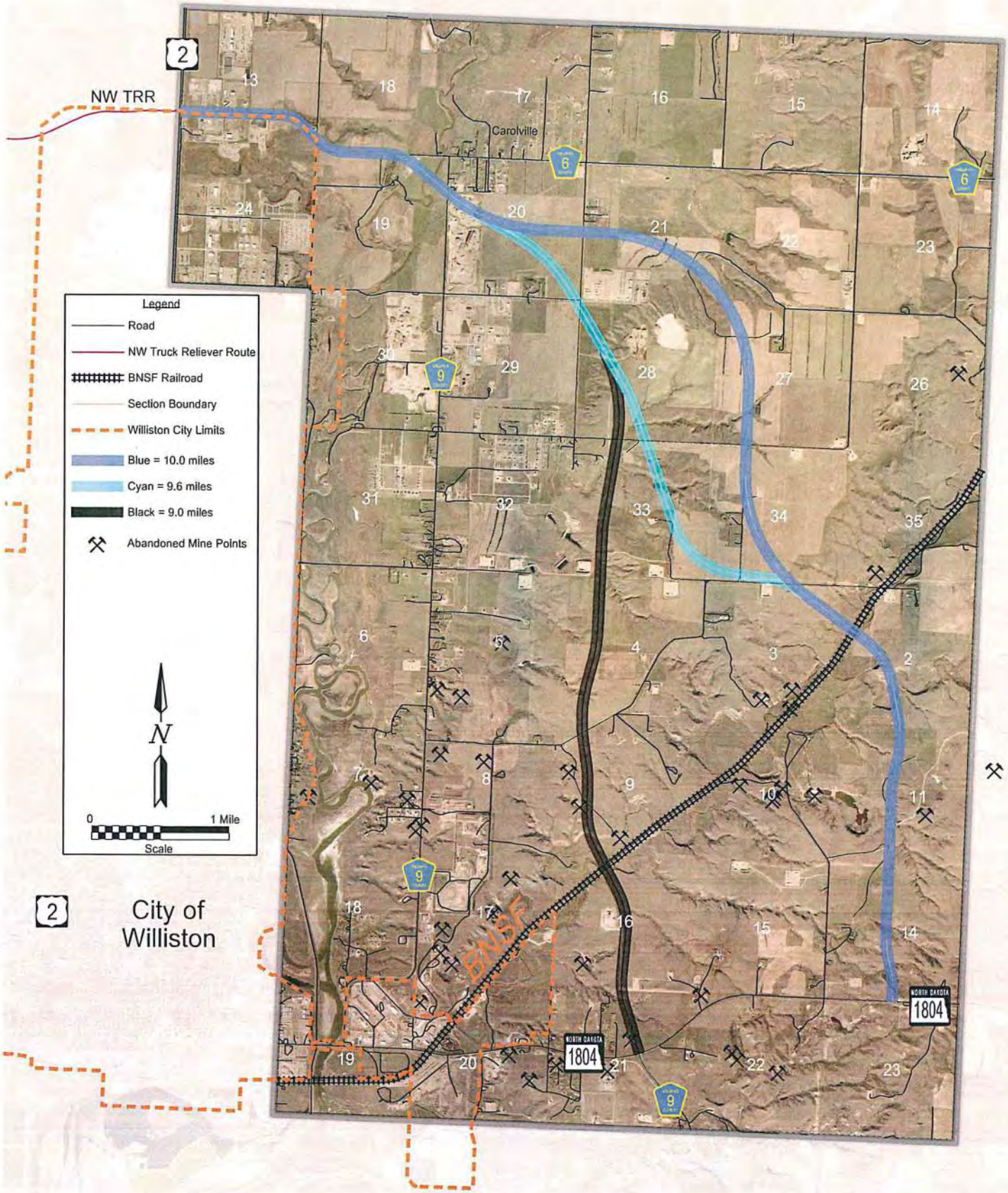
Ronald J. Henke, Deputy Director for Engineering

10/4/17
Date

20/waz

Enclosure A

Potential Williston Northeast TRR Alternatives



Zacher, Wayne A.

From: Bob Hanson <BobH@ci.williston.nd.us>
Sent: Wednesday, September 13, 2017 8:55 AM
To: Zacher, Wayne A.; Dennis Nelson (dennisn@co.williams.nd.us); Thomas Scott
Cc: Wilt, Joel M.; Gathman, Bill P.; Frisinger, Chad A.; Rath, James D.; Weigel, Roger G.; Fode, Bob A.; Henke, Ron J.; Dave Montgomery (davidm@co.williams.nd.us)
Subject: RE: 7-804(053)900 (PCN 20788) - Preferred Alignment

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Zacher

The Williston City Commission met Tuesday, September 12, 2017 to among other things consider the alternate alignments for the above referenced North East Truck Reliever Route project.

By unanimous vote the City Commission adopted the 'Black Route' as their preferred alternate route contingent upon the concurrence of the Williams County Commission.

Minutes of the City Commission Meeting are available upon request.

Should you have any questions or need any additional information, please contact the City Engineer's Office at any time.

Bob

From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Thursday, August 17, 2017 3:46 PM
To: Dennis Nelson (dennisn@co.williams.nd.us); Thomas Scott
Cc: Wilt, Joel M.; Gathman, Bill P.; Bob Hanson; Frisinger, Chad A.; Rath, James D.; Weigel, Roger G.; Fode, Bob A.; Henke, Ron J.; Dave Montgomery (davidm@co.williams.nd.us)
Subject: 7-804(053)900 (PCN 20788) - Preferred Alignment

Dennis and Tom,

The City and County signed an MOU on December 6, 2016 (see attached "Memorandum of Understanding") to preserve the necessary Right of Way for a period of 10 years pending the environmental document outcome. It was my understanding that the City and County were not in favor of either route. I was asked if there was a way we could work around cultural sites found on the previously written out "Red" alignment which tied into County Road 9 south of ND Hwy 1804. Initially the answer was "No," but upon further review we were able to develop the "Black" Route (see "AlternativeRoute_8_4_17_map_reduced" attached) .

Approximately a year ago on August 4, 2016, I sent you a request for your preferred route between the "Blue" and "Cyan" routes. At that time, there was some concern with the routes proposed, so a preferred route was not identified. Here is an excerpt from that email:

> We have studied a number of different routes and held multiple meetings to determine the best route for the Williston NE TRR. We have worked our way down to two potential alignments (See attached layout) and would like your input to identify the preferred.
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The past year we have developed the "Black" Route as shown in the attached file "AlternativeRoute_8_4_17_map_reduced":

- A Cultural site was found within the corridor, but we are able to avoid it
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Are the City and County willing to identify a preferred alignment for the Williston NE TRR at this time?

If so, please identify the preferred route by **Thursday, September 14th**.

Let me know if you need more information to make your determination.

Wayne A. Zacher, P.E.
Transportation Engineer
Design Division
ND Dept. of Transportation
608 E Blvd Ave
Bismarck, ND 58505-0700
Phone: (701) 328-4828

Zacher, Wayne A.

From:	Dennis Nelson <DennisN@co.williams.nd.us>
Sent:	Tuesday, September 19, 2017 12:00 PM
To:	wayneaaberle@hotmail.com; David Montgomery; Martin Hanson; Barry Ramberg; Steve Kemp; Innis, Beth M.
Cc:	Zacher, Wayne A.
Subject:	FW: 7-804(053)900 (PCN 20788) - Preferred Alignment
Attachments:	AlternativeRoute_8_4_17_map_reduced.pdf; Memorandum of Understanding 20964973.pdf

Sorry thought all of you got this. Mr. Zacher the Williams County Commission Approved at the Sept. 19th 2017 Meeting the preferred black route. Thank You

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Sent: Thursday, August 17, 2017 3:46 PM
To: Dennis Nelson; 'Thomas Scott'
Cc: Wilt, Joel M.; Gathman, Bill P.; Bob Hanson; Frisinger, Chad A.; Rath, James D.; Weigel, Roger G.; Fode, Bob A.; Henke, Ron J.; David Montgomery
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Wayne A. Zacher, P.E.
Transportation Engineer
Design Division
ND Dept. of Transportation
608 E Blvd Ave
Bismarck, ND 58505-0700
Phone: (701) 328-4828

Appendix C

Section 4(f) Documentation

MEETING MINUTES

Core Values: Dedicating ourselves to our clients' success ~ Pursuing excellence in our work ~ Acting with integrity

Meeting:	NDDOT Williston NE TRR USACE Meeting		
Date of Meeting:	June 1, 2016	**Time:**	1:00pm-3:30pm CDT
Minutes Prepared By:	Jen Hanley/Steve Windish/Josh Kueber	**Location:**	USACE Riverdale Project Office

Attendance		
Jennifer Hanley – Ulteig	Steve Windish – Ulteig	Jeff Keller – USACE (phone)
Josh Kueber – Ulteig	Amy Denz – Wenck (phone)	Wade Spooner – USACE (phone)
Wayne Zacher - NDDOT	Mark Schrader - FHWA	Shelly McPherron – USACE (phone)
Kristen Sperry – NDDOT ETS	Kevin Brodie – FHWA	Brent Cossette – USACE (phone)
Swade Hammond – USACE	Nolan Baldwin – USACE	Matt Vandenberg – USACE (phone)
Mike Morris – USACE	Jeremy Thury – USACE	Will Harlon – USACE (phone)
Skip Stonesifer – USACE	Richard Rogers - USACE	Luke Wallace – USACE (phone)

Mike Morris opened with introductions

Project Overview

Wayne Zacher and Jen Hanley gave an summary of the proposed project.

- Two routes will impact USACE property (MU 113) along the Little Muddy, Yellow and Green
- It is leased by the Bandlands Bird Dog Club
- NDDOT has not yet selected a preferred route
- Yellow and green are two alternatives, but are in the same location as they cross USACE property.
- Brief background
    - 42 square mile study area
    - Needed to provide a reasonable range of alternatives
    - No-build alternative is CR 9
    - Additional lines on paper were presented at a public input meeting June 2015
    - We looked at two areas
        - Engineering
        - Environmental
- There was a cultural resources block study completed on the south side of the study area and each alternative was studied
- Each alternative was either field or office wetland delineated
- Biological resources are being assessed for the entire area, and each corridor and the Biological Assessment will be submitted for the preferred route
- CR 9 has been taken off the build alternative as there are too many private accesses
- The little green lines on the meeting map are connectors from CR 9 to the yellow/green alternatives

USACE MU 113/Badlands Bird Dog Hunting Club

- Wayne asked if LEDPA applies to the 4f property that USACE owns and leases to Badlands Bird Dog Hunting Club. USACE responded that the club provide youth hunts, fishing, and hunting. Kevin Brodie asked if he could access the property right now or would he need to be member of Badlands Bird Dog Hunting Club. USACE answer he could access the property and do recreational activities

which would indicate that it is most likely Section 4(f) use but Kevin said they would verify that. They mentioned that club has made improvements to that property like planting trees and Kevin then brought up fact that USACE would need to negotiate with them since there landowner who provides the lease.

Kevin Brodie

- Section 4(f) applicability has been determined
- The lease clouds the issue
    - Constitutes a real estate taking

Mark Schrader – FHWA legal needs to make a determination. Is it open to public use?

Skip Stonesifer – yes very public, there is no gate
Mark Schrader – Asked if the property was used, how would it be mitigated? Could the features/attibutes be replaced? Would the trees be replaced?

Kristin Sperry – indicated there have been lots of trees planted for the US 85 mitigation and the over mitigation could be used. The USACE says they still haven't seen those numbers to that is to be determined.

Wayne Zacher asked if Section 4(f) could be used to eliminate the green and yellow routes. Kevin Brodie and Mark Schrader agreed it could. They will get a letter from Stephanie Stormer, FHWA environmental resource in Denver, to support that statement.

Kevin Brodie – what is keeping the yellow and green in the study going forward? Wayne Zacher responded that the project team was investigating a reasonable number of alternatives, no environmental determination has been made.

Will Harlon – these will be problematic due to a probable spill mitigation in this location. Department of Justice will require in perpetuity

Kevin Brodie asked if the USACE have first dibs? Yes

Brent Cossette – Why that location for yellow / green? Can it go further north? Wayne Zacher replied that NDDOT would like it to tie into the northwest bypass at US 2. There is more concentrated development north of this location

There is a flowage easement in this location. Cut/fill must balance in the flowage easement.

Mitigation
Wayne – without knowing the impacts it is difficult to know mitigation.

- There would need to be woodland mitigation at the bird dog club.
- Cut/fill balance
- Land mitigation – Could appraise the land, determine the value, place the money in escrow, USACE will find land to purchase and use the money in escrow

USACE cannot issue a permit if the Section 404 process determines the project impacts public interest.

Yellow and green are problematic. If they were eliminated USACE would not have a problem. Red is problematic due to cultural. Yellow has cultural east of the bridge and there is a relocation required.

FHWA – Stephanie Stormer from FHWA will make the 4 (f) determination.

Amy Denz asked if we need to add discussion of the 408 in the EA – Yes, we cross the Little Muddy flowage easement, 408 still applies.

Additional Alternative Discussion

- Red route was removed due to cultural on the south end. Much was found, and it is highly likely based upon experience that much more will be found.
    - There is a landowner issue on the south end.
    - It was added back due to request by the city and county.
- Blue route was the best "non-developed" route.
- Cyan route was added because there are 4 homesteads in somewhat close vicinity to blue near the north end.
- There were several routes because we needed to have a wide range of alternatives, thus the reason of going north and south of Carolville.

LEDPA

Wayne Zacher asked when LEDPA comes into play.

Swade Hammond responded:

- This project may fall under a 404 nationwide permit and LEDPA will not be triggered. If it is an Individual Permit, LEDPA will be triggered. It is impact based. The impacts at the bridges could trigger.

Jen Hanley indicated Ulteig just received the letter allowing the hydraulic survey. It is being scheduled and Ulteig will start looking at potential impacts once the hydrology/hydraulics are determined.

Swade Hammond indicated that if an Individual Permit is needed, the lines on paper from the June 2015 public input meeting may need to come back for the USACE evaluation.

Jen Hanley reported that there were several lines on the map, some of which are not shown now, others were added as a result of the meeting, these lines were not alternatives at the time but just lines on paper.

Wayne Zacher clarified the current map is a streamlined version.

Jen Hanley explained the internal project team web link for the maps and said she would provide the link and password to the meeting attendees.

Swade Hammond asked if any comments have been received from the tribes? No

Jen Hanley added that sections 9, 10, and 3 have a very large concentration of cultural.

Kevin Brodie asked if BNSF was aware of the project. Jen Hanley responded that Ulteig has been in regular contact with them. They say thank you, but come back when you have a chosen alternative.

LEDPA – will apply if wetland impacts, impacts to USACE fee property or public opposition trigger an individual 404 permit. Wayne said his major LEDPA concern was at the USACE fee property.

EA

EA process schedule

- 80% Draft complete
- Need to get more info on the recently added cyan
    - Noise
    - BA
    - Cultural
- Environmental impact section currently includes blue, yellow, and green
- Timeline
    - Cultural in the next 3 weeks
    - Wetlands in the next 3 weeks
    - By then writing will be done, Wenck is working on that as we go
    - The draft should be ready in about a month

Wayne Zacher reported on the schedule project:

- Currently in the 2020 bid opening scheduled with federal funding
- The priority is to complete environmental. Further action will be determined at a later date.

Jen Hanley added the environmental document is based on a four lane – flush median highway, largest impact potential. The traffic ops does not support a four-lane at this time. Wayne Zacher added that traffic may support four-lane by 2040

Swade Hammond concurred with 404 permitting the ultimate rather than what is currently needed.

Section 408

Brent Cossette talked through the process:

- Any impact to federal interest lands
- Cannot have a negative impact
- All of Garrison project's planned purposes
- Summary of findings – determination of no impacts
- Won't receive 408 until the plans, specs, etc. are done and submitted and approved. They must be in accordance with the environmental document

Kevin Brodie asked if it a foregone conclusion that 408 will be approved. Brent Cossette responded no. But it will be based on the environmental document. If no, then go back to the drawing board and modify the design to resolve comments

Brent Cossette clarified that we should include 408 discussion in the EA. But won't get final approval until plans are completed and reviewed. We can get FONSI from FHWA but USACE FONSI and 408 must wait until after design.

USACE will adopt the EA but draft their own FONSI. Make sure the design doesn't go against the environmental document

Swade Hammond recommend that we do the 404 process in phases if project will be bid in phases. Wayne answer with $100 million dollar project that we will likely need to bid it in phases.

Project Weblink
http://ulteig.maps.arcgis.com/apps/webappviewer/index.html?id=f7dc199d7d98435b8917333a4224bedc

Username: NE_TRR
Password: Newroute3

Action Items		
Action	**Owner**	**Due Date**
Provide project weblink	Hanley	Done
Letter about Section 4(f) from Stephanie Stormer	Brodie	6/17/16
Add Swade Hammond to Biweekly Meeting Invite	Hanley	Done
Provide meeting summary to attendees	Hanley/Zacher	6/8/16

Ulteig

PLEASE PRINT

ATTENDANCE ROSTER

PROJECT Williston NE TRR 7-804(053)900, PCN 20788

MEETING LOCATION USACE Riverdale Project Office

DATE/TIME Wednesday, June 1, 2016 1pm

Name	Representing	Phone	Email
Jen Hanley	Ulteig	280-8582	jennifer.hanley@ulteig.com
Josh Kueber	Ulteig		Josh.Kueber@ulteig.com
Swade Hammond	USACE-Regulatory	255-0015 ext. 2012	swade.d.hammond@usace.army.mil
Nolan Baldwin	USACE-Real Estate	701-546-7763	nolan.l.baldwin@usace.army.mil
Jason H Nelson	USACE – Natural Resources	701 654 7747	jason.h.nelson@usace.army.mil
Wayne Zacher	NDDOT - Design	701 328-4828	wzacher@nd.gov
Kristen Sperry	NDDOT - ETS	701-328-3704	Ksperry@nd.gov
Mike Morris	USACE	(701) 654-7759	michael.p.morris@usace.army.mil
Jeremy Thury	USACE	701-654-7761	Jeremy.J.thury@usace.army.mil

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Name	Representing	Phone	Email
Stonesifer, Skip	USACE	701 654 7746	alfred.C.Stonesifer@usace.army.mil
Richard Rogers	USACE	701 654 7744	Richard.R.Rogers@usace.army.mil
Steve Windish	Ulteig	701 355-2333	steve.windish@ulteig.com
Kevin Brodie	FHWA	701 221 9467	Kevin.Brodie@dot.gov
Mark Schrader	FHWA	701 221-9468	Mark.Schrader@dot.gov
Amy Denz	Wenck		
Jeff Keller	USACE		
Wade Spooner	USACE		
Shelly McPhurron	USACE		
Brent Cossette	USACE		
Matt VanDenberg	USACE		
Will Harlon	USACE		
Luke Wallace	USACE		

Section 4(f) Applicability Determination for Garrison Dam/Lake Sakakawea Master Plan & EA Management Units

Part I. Determination of Section 4(f) Applicability (to be completed by USACE)

Number and name of Management Unit: 111 Little Muddy Agricultural Leases Wildlife Area

Land Classification of Management Unit: Multiple Resource Management: Wildlife Management General

Managing agency of Management Unit: USACE

1. Is the major purpose of this Management Unit for park, recreation, or refuge activities?

   ✓ YES ☐ NO

   a. If *yes*, which type of activity applies to this Management Unit?

   ☐ PARK

   ✓ RECREATION

   ✓ REFUGE

When applying Section 4(f) to multiple-use public land holdings, Section 4(f) applies only to those portions of a multiple-use public property that are designated by statute or identified in an official management plan of the administering agency as being primarily for public park, recreation, or wildlife and waterfowl refuge purposes, and are significant for such purposes. The major purpose is related to the property's primary function and how it is intended to be managed. Parks and recreation areas typically offer a wide variety of activities such as walking, hiking, or camping, as well as organized sports like soccer, softball, or tennis. Parks can also be fairly passive in nature. Refuges refer to properties that are formally part of the National Wildlife Refuge System, or other publicly owned land (including waters) where the major purpose of such land is the conservation, restoration, or management of endangered species, their habitat, and other wildlife and waterfowl resources and their habitat. Incidental, secondary, occasional, or dispersed activities similar to park, recreational, or refuge activities do not constitute a primary purpose within the context of Section 4(f). Unauthorized activities should not be considered as part of this determination of applicability.

   b. What is the primary purpose of this property, as stated in the Master Plan & EA? Please identify the applicable section(s) of the Master Plan & EA.

   5.3.5.2. Wildlife Management; maintain wildlife habitat for designated species, group of species, species diversity; sightseeing, wildlife viewing, nature study, and hiking; and, when compatible, hunting. 7.104. Maintain/improve vegetative cover for habitat for variety of species; water quality and soil conservation; support types and levels of recreation activities consistent with carrying capacities/preservation of aesthetic, cultural, and ecological values; protect/preserve cultural resources; and control noxious weeds.

   c. Are the activities incidental, secondary, occasional, or dispersed?

   ☐ YES ✓ NO

Lands used primarily for non-recreation purposes but where recreational activities that are incidental, secondary, occasional, or dispersed activities similar to park, recreation, or refuge activities take place are not considered Section 4(f) activities.

2. Is this Management Unit publicly owned?

   ✓ YES ☐ NO ☐ PARTIALLY

Public ownership in Section 4(f) refers to ownership by a local, state, or federal government agency.

   a. If *yes*, which type of public ownership is in place?

   ✓ FEE SIMPLE OWNERSHIP ☐ PERMANENT EASEMENT ☐ LEASE AGREEMENT

FHWA recognizes three types of public ownership: fee simple ownership, permanent easement for Section 4(f) purposes, and lease agreement for Section 4(f) purposes.

   b. If *partially*, please explain.

   North Dakota Department of Transportation has an existing roadway easement across this USACE owned property for roadway and maintenance use (DACW45-2-04-8104). The roadway easement is included with this form.

3. Is this Management Unit open to the public?

✓ YES ☐ NO

a. If *yes*, which activity area(s) are open to the public?

☐ PARK ✓ RECREATION ✓ REFUGE ☐ OTHER:

A property that is open to the public is one where access is permitted to the entire public during normal hours of operation. A property would not be considered open to the public if access was permitted only to select groups. Wildlife and waterfowl refuges are treated somewhat differently when it comes to the issue of public access. Many wildlife and waterfowl refuges allow public access, while others may restrict public access either to sensitive areas or during certain times of the year for the protection of refuge habitat and species. A refuge would not have to provide unrestricted access to the public to be considered a Section 4(f) property; rather, it should be open to the public to the extent that public access does not interfere with the primary purpose of the refuge.

4. Is this property significant as a park, recreation area, or refuge?

✓ YES ☐ NO

The term "significant" means that in comparing the availability and function of the park, recreation area, or refuge, with the park, recreation area, or refuge objectives of the agency, community, or authority, the property in question plays an important role in meeting those objectives.

Additional Comments:

22 April 2016	Wade Spooner	Deputy Operations Project Manager
DATE	NAME	TITLE

SIGNATURE OF USACE REPRESENTATIVE

Part II. Summary of Findings (to be completed by FHWA)

Is this Management Unit:

A park, recreation area, or wildlife and waterfowl refuge? ✓ YES ☐ NO

Publicly owned? ✓ YES ☐ NO

Open to the Public? ✓ YES ☐ NO

Significant? ✓ YES ☐ NO

Is this Management Unit a Section 4(f) Resource? ✓ YES ☐ NO

Additional Comments:

April 22, 2016	Kevin L. Brodie, P.E.	FHWA-ND Transportation Engineer
DATE	NAME	TITLE

SIGNATURE OF FHWA REPRESENTATIVE

Section 4(f) Applicability Determination for Garrison Dam/Lake Sakakawea Master Plan & EA Management Units

Part I. Determination of Section 4(f) Applicability (to be completed by USACE)

Number and name of Management Unit: 113 Little Muddy Agricultural Leases

Land Classification of Management Unit: Multiple Resource Management: Vegetative Management

Managing agency of Management Unit: U.S. Army Corps of Engineers (Corps)

1. Is the major purpose of this Management Unit for park, recreation, or refuge activities?

   ✓ YES ☐ NO

   a. If *yes*, which type of activity applies to this Management Unit?

   ☐ PARK

   ✓ RECREATION

   ✓ REFUGE

When applying Section 4(f) to multiple-use public land holdings, Section 4(f) applies only to those portions of a multiple-use public property that are designated by statute or identified in an official management plan of the administering agency as being primarily for public park, recreation, or wildlife and waterfowl refuge purposes, and are significant for such purposes. The major purpose is related to the property's primary function and how it is intended to be managed. Parks and recreation areas typically offer a wide variety of activities such as walking, hiking, or camping, as well as organized sports like soccer, softball, or tennis. Parks can also be fairly passive in nature. Refuges refer to properties that are formally part of the National Wildlife Refuge System, or other publicly owned land (including waters) where the major purpose of such land is the conservation, restoration, or management of endangered species, their habitat, and other wildlife and waterfowl resources and their habitat. Incidental, secondary, occasional, or dispersed activities similar to park, recreational, or refuge activities do not constitute a primary purpose within the context of Section 4(f). Unauthorized activities should not be considered as part of this determination of applicability.

   b. What is the primary purpose of this property, as stated in the Master Plan & EA? Please identify the applicable section(s) of the Master Plan & EA.

   Section 7.106 Little Muddy Agricultural Leases area is used for recreation (Canoeing, cross-county skiing, hiking, fishing, and hunting) This area is leased out for farming and livestock grazing. This area also includes big game, predators, small mammals, upland game birds, waterfowl, shorebirds, and songbirds.

   c. Are the activities incidental, secondary, occasional, or dispersed?

   ☐ YES ✓ NO

Lands used primarily for non-recreation purposes but where recreational activities that are incidental, secondary, occasional, or dispersed activities similar to park, recreation, or refuge activities take place are not considered Section 4(f) activities.

2. Is this Management Unit publicly owned?

   ✓ YES ☐ NO ☐ PARTIALLY

Public ownership in Section 4(f) refers to ownership by a local, state, or federal government agency.

   a. If *yes*, which type of public ownership is in place?

   ✓ FEE SIMPLE OWNERSHIP ☐ PERMANENT EASEMENT ☐ LEASE AGREEMENT

FHWA recognizes three types of public ownership: fee simple ownership, permanent easement for Section 4(f) purposes, and lease agreement for Section 4(f) purposes.

   b. If *partially*, please explain.

   NA

3. Is this Management Unit open to the public?

✓ YES ☐ NO

a. If *yes*, which activity area(s) are open to the public?

☐ PARK ✓ RECREATION ✓ REFUGE ☐ OTHER:

A property that is open to the public is one where access is permitted to the entire public during normal hours of operation. A property would not be considered open to the public if access was permitted only to select groups. Wildlife and waterfowl refuges are treated somewhat differently when it comes to the issue of public access. Many wildlife and waterfowl refuges allow public access, while others may restrict public access either to sensitive areas or during certain times of the year for the protection of refuge habitat and species. A refuge would not have to provide unrestricted access to the public to be considered a Section 4(f) property; rather, it should be open to the public to the extent that public access does not interfere with the primary purpose of the refuge.

4. Is this property significant as a park, recreation area, or refuge?

✓ YES ☐ NO

The term "significant" means that in comparing the availability and function of the park, recreation area, or refuge, with the park, recreation area, or refuge objectives of the agency, community, or authority, the property in question plays an important role in meeting those objectives.

Additional Comments:

The Little Muddy Agricultural Leases area is used primarily for agriculture but is also used for vegetation, wildlife management, and recreation. Tribal members are provided access to cultural resources, sacred sites, or other Traditional Cultural Properties in accordance with the Programmatic Agreement.

25 April 2016	Wade Spooner	Deputy Operations Manager
DATE	NAME	TITLE

SIGNATURE OF USACE REPRESENTATIVE

Part II. Summary of Findings (to be completed by FHWA)

Is this Management Unit:

A park, recreation area, or wildlife and waterfowl refuge? ✓ YES ☐ NO

Publicly owned? ✓ YES ☐ NO

Open to the Public? ✓ YES ☐ NO

Significant? ✓ YES ☐ NO

Is this Management Unit a Section 4(f) Resource? ✓ YES ☐ NO

Additional Comments:

April 25, 2016	Kevin L. Brodie, P.E.	FHWA-ND Transportation Engineer
DATE	NAME	TITLE

SIGNATURE OF FHWA REPRESENTATIVE

North Dakota Department of Transportation

Thomas K. Sorel
Director

Doug Burgum
Governor

December 14, 2018

USACE Garrison Project Office
Attn: Mr. Skip Stonesifer
201 1st Street
Riverdale, ND 58565

Subject: PROJECT NO. 7-804(053)900, PCN 20788 – Williston NE TRR, Williston, ND

Dear Mr. Stonesifer:

The North Dakota Department of Transportation (NDDOT) and the Federal Highway Administration (FHWA) are proposing a roadway improvement for a northeast truck reliever route from ND 1804 on the east side of Williston to US 2/85 on the north side of the city (see *Figure 1*). The United States Army Corps of Engineers (USACE) is a cooperating agency for development of the Environmental Assessment. The USACE Management Unit 113, Little Muddy Agricultural Leases (MU 113), is adjacent to the project, north of Williams County Road 6 (CR6).

The project consists of reconstructing the existing roadway to provide wider shoulders on a portion of CR6 and new alignment for the remaining project length. *Figure 1* shows the reconstruction and new construction areas along the proposed alignment. The new alignment will include a new bridge crossing the Little Muddy River, the removal of the existing CR6 bridge over the Little Muddy River, and the addition of culverts. This work would result in temporary impacts of approximately 1 acre to MU 113, during construction (see *Figure 2*). Bridge demolition will impact MU 113 access to USACE lands. Currently, the USACE has access on the west side of the existing structure. Once the new structure and highway alignment are in place, access will be provided to the west side of MU 113. Additional work will include erosion control seeding within the established right of way.

MU 113 is protected under Section 4(f) of the Department of Transportation Act of 1966 as assumed due to the recreational nature of the facility. Section 4(f) of the Transportation Act prohibits FHWA from authorizing actions that result in a use of Section 4(f) properties, including public parks, recreation areas, wildlife refuges or lands of historic significance, unless there are no prudent and feasible avoidance alternatives and the action includes all possible planning to minimize harm. However, under 23 CFR 774.13, FHWA has identified various exceptions to the requirements for Section 4(f) authorization. One exception, identified in 23 CFR 774.13(d), *temporary occupancies of land that are so minimal as to not constitute a use*. The temporary occupancy of the land during construction will be so minimal that it will not constitute a use within the meaning of Section 4(f) per the following criteria:

1. *Duration (of the occupancy) must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land.*

   MU 113 would be occupied for approximately 60 days during the removal of the existing CR6 bridge over the Little Muddy River. All staging would be located off the Management Unit. A Temporary Construction License will be required from the USACE to remove the existing bridge and reclaim the surrounding land to pre-project conditions, therefore no changes in ownership of the land will be realized as a result of the construction of the proposed project.

2. *Scope of the work must be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) resource are minimal.*

   Temporary impacts will occur with the demolition of the existing CR6 bridge. All work would be staged to minimize impacts to the USACE property. The expected temporary impacts would occur in the existing road right of way or Temporary Construction License and will not change the intended use of the 4(f) resources. Provisions would be made for boaters needing to traverse that section of the river.

3. *There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis*

   No permanent impacts. Nor shall there be any interference with the MU 113 or its use. Access to the MU 113 will be maintained during demolition as the new roadway would be in service and the CR6 bridge would no longer be needed to access MU 113.

4. *The land being used must be fully restored, i.e., the resource must be returned to a condition which is at least as good as that which existed prior to the project.*

   The access to the USACE property would be changed due to the removal of the CR6 bridge. The access would remain on the west side of the Little Muddy River from the Williston NE TRR. Although the access to the property would change, the USACE property will not be permanently impacted due to the removal of the CR 6 bridge. The land would be returned to conditions similar to those prior to the construction of the bridge. NDDOT will reseed the impacted areas with an approved USACE seed mix.

5. *There must be documented agreement of the appropriate Federal, State, or local officials having jurisdiction over the resource regarding the above conditions.*

   As requested, with this letter, NDDOT is requesting concurrence from the USACE regarding the outlined conditions.

It is our opinion that due to the bridge removal and temporary nature of the project, there will be minimal temporary or permanent impacts and the proposed project is excluded from the requirements of Section 4(f) authorization.

Request of Concurrence

NDDOT requests concurrence from the USACE that the proposed project meets conditions 1 through 5, will not have an "adverse effect" on MU 113, nor will there be interference with the

intended activities, features or attributes of the property on a temporary or permanent basis. The above stated condition 5 is required for FHWA to exclude this project from the requirements of Section 4(f) authorization, allowing the proposed project to proceed as planned.

This project is currently not scheduled for construction. Please provide your written concurrence by January 14, 2019. We would greatly appreciate your immediate attention and response on such short notice. If you require any additional information, or have any questions, feel free to call me at 701-328-4818.

A concurrence response can be sent to colawson@nd.gov or mailed to:

Cory Lawson
NDDOT Environmental and Transportation Services
608 E. Boulevard Avenue
Bismarck, ND 58505-0770

Sincerely,

Cory Lawson

Cory Lawson
Environmental Services 1 Section Leader, Environmental Planner

cl/jh

Concurrence

The (OWJ) has consulted with NDDOT to the impacts to the MU 113 and hereby concurs that the proposed project, as described and shown in appended exhibits, would not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f) of the Transportation Act on either a temporary or permanent basis.

USACE

20190111
Date

Enclosure: Figure 1
Figure 2

Potential Williston Northeast TRR Alternatives

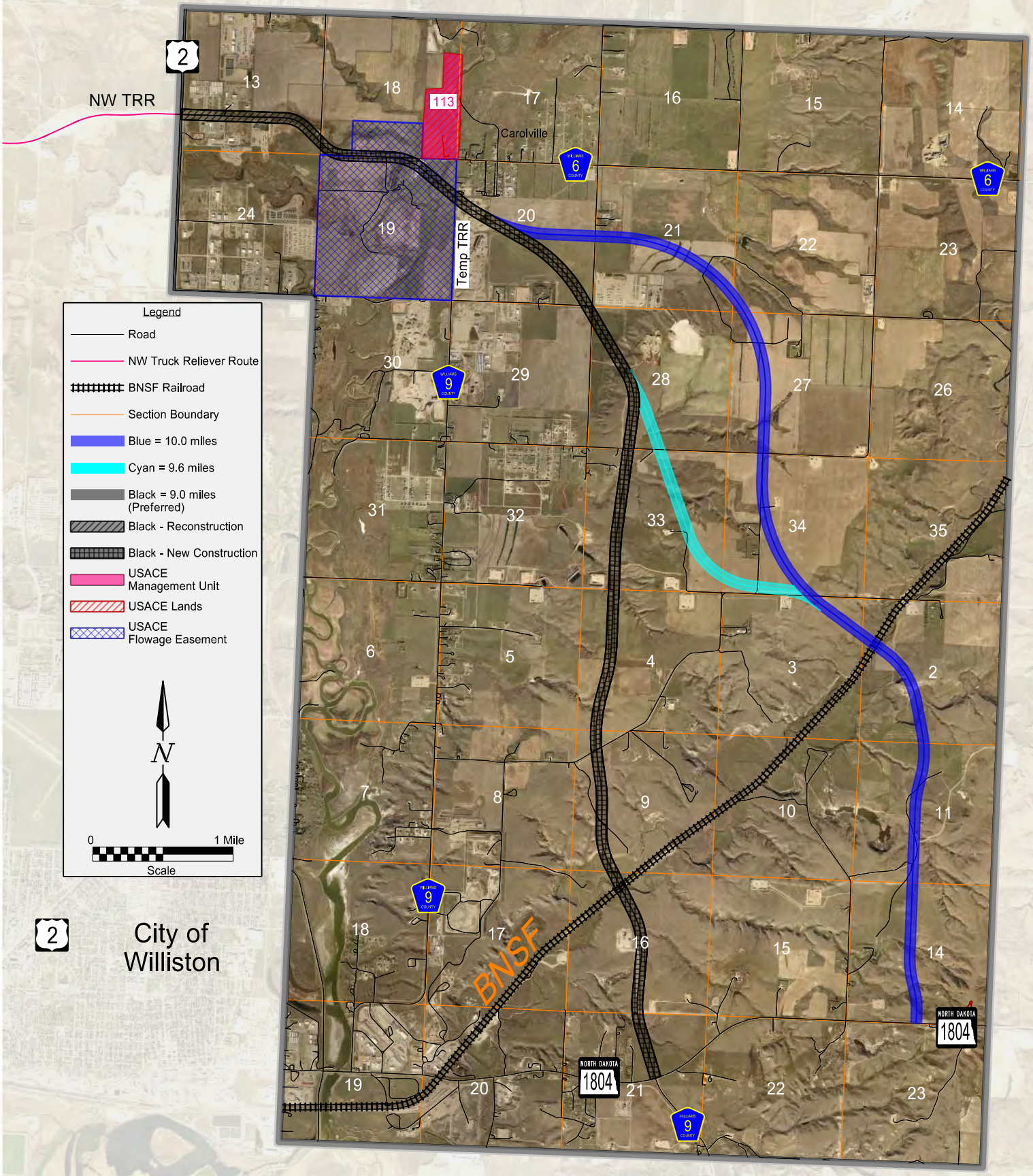

Figure 1: Project Location Map

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	7-804(053)900	USACE	1

This document is preliminary and not for construction or implementation purposes.

PRELIMINARY

Project Location Map

Figure 2: USACE Land

7/3/2018 9:11:20 AM NIKKI.OLSON O:\Projects\2014\14.00940\Surveying\Alternatives\Management Units_2_27_18_Flowage Easement.dgn

Appendix D

NRCS Farmland Conversion Impact Rating Form NRCS-CPA-106

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request 8/11/16	4. Sheet 1 of 2
1. Name of Project 10	5. Federal Agency Involved FHWA	
2. Type of Project New Road Construction	6. County and State Williams, North Dakota	
PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 8/11/16	2. Person Completing Form Steven Sieler
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES ☑ NO ☐		4. Acres Irrigated 18,000 / Average Farm Size 1,403
5. Major Crop(s) Wheat, soybeans, barley	6. Farmable Land in Government Jurisdiction Acres: 1,144,868 % 83	7. Amount of Farmland As Defined in FPPA Acres: %
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System NA	10. Date Land Evaluation Returned by NRCS 8/12/16

PART III *(To be completed by Federal Agency)*		Alternative Corridor For Segment _____			
		Corridor D	Corridor G		
A. Total Acres To Be Converted Directly		604.7	512.5		
B. Total Acres To Be Converted Indirectly, Or To Receive Services		0	0		
C. Total Acres In Corridor		604.7	521.5		
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland		12.4	17.4		
B. Total Acres Statewide And Local Important Farmland		263.6	241.6		
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		.0002	.0002		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		61	63		
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*		48	43		
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*	Maximum Points				
1. Area in Nonurban Use	15	15	15		
2. Perimeter in Nonurban Use	10	10	10		
3. Percent Of Corridor Being Farmed	20	0	0		
4. Protection Provided By State And Local Government	20	20	20		
5. Size of Present Farm Unit Compared To Average	10	4	4		
6. Creation Of Nonfarmable Farmland	25	0	0		
7. Availablility Of Farm Support Services	5	5	5		
8. On-Farm Investments	20	10	10		
9. Effects Of Conversion On Farm Support Services	25	5	5		
10. Compatibility With Existing Agricultural Use	10	8	8		
TOTAL CORRIDOR ASSESSMENT POINTS	160	77	77	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	48	43	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)	160	77	77	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	125	120	0	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part: | DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?
More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with $1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request **11/6/17**	4. Sheet 1 of **1**
1. Name of Project **Williston NE Truck Reliever Route**	5. Federal Agency Involved **FHWA**	
2. Type of Project **New Road Construction**	6. County and State **Williams County, North Dakota**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS **11/6/17**	2. Person Completing Form **Steven Sieler**
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES ☑ NO ☐	4. Acres Irrigated **NA**	Average Farm Size **1,127**
5. Major Crop(s) **Durum, Spring Wheat, Canola**	6. Farmable Land in Government Jurisdiction Acres: **1,180,986** %	7. Amount of Farmland As Defined in FPPA Acres: **NA** %
8. Name Of Land Evaluation System Used **LESA**	9. Name of Local Site Assessment System **LESA**	10. Date Land Evaluation Returned by NRCS **11/9/17**

PART III *(To be completed by Federal Agency)*		Alternative Corridor For Segment _____			
		Corridor H	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		201			
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor		201	0	0	0
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland		9			
B. Total Acres Statewide And Local Important Farmland		192			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		0			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		71			
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*					
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	2			
4. Protection Provided By State And Local Government	20	20			
5. Size of Present Farm Unit Compared To Average	10	4			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availablility Of Farm Support Services	5	5			
8. On-Farm Investments	20	10			
9. Effects Of Conversion On Farm Support Services	25	5			
10. Compatibility With Existing Agricultural Use	10	8			
TOTAL CORRIDOR ASSESSMENT POINTS	160	79	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100				
Total Corridor Assessment (From Part VI above or a local site assessment)	160	79	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	79	0	0	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part: | DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?
More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?
More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?
More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?
Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with $1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?
Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?
All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?
High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

U.S. DEPARTMENT OF AGRICULTURE
Natural Resources Conservation Service

NRCS-CPA-106
(Rev. 1-91)

FARMLAND CONVERSION IMPACT RATING FOR CORRIDOR TYPE PROJECTS

PART I *(To be completed by Federal Agency)*	3. Date of Land Evaluation Request **11/6/17**	4. Sheet 1 of **1**
1. Name of Project **Williston NE Truck Reliever Route**	5. Federal Agency Involved **FHWA**	
2. Type of Project **New Road Construction**	6. County and State **Williams County, North Dakota**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS **11/6/17**	2. Person Completing Form **Steven Sieler**
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES ☑ NO ☐		4. Acres Irrigated **NA** / Average Farm Size **1,127**
5. Major Crop(s) **Durum, Spring Wheat, Canola**	6. Farmable Land in Government Jurisdiction Acres: **1,180,986** %	7. Amount of Farmland As Defined in FPPA Acres: **NA** %
8. Name Of Land Evaluation System Used **LESA**	9. Name of Local Site Assessment System **LESA**	10. Date Land Evaluation Returned by NRCS **11/9/17**

PART III *(To be completed by Federal Agency)*		Alternative Corridor For Segment _____			
		Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		201			
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor		201	0	0	0
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland		9			
B. Total Acres Statewide And Local Important Farmland		192			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		0			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		71			
PART V *(To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)*					
PART VI *(To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))*	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	2			
4. Protection Provided By State And Local Government	20	20			
5. Size of Present Farm Unit Compared To Average	10	4			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availablility Of Farm Support Services	5	5			
8. On-Farm Investments	20	10			
9. Effects Of Conversion On Farm Support Services	25	5			
10. Compatibility With Existing Agricultural Use	10	8			
TOTAL CORRIDOR ASSESSMENT POINTS	160	79	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100				
Total Corridor Assessment (From Part VI above or a local site assessment)	160	79	0	0	0
TOTAL POINTS *(Total of above 2 lines)*	260	79	0	0	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES ☐ NO ☐

5. Reason For Selection:

Signature of Person Completing this Part: | DATE

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

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Less than 20 percent - 0 points

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90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

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Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

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High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?
Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?
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Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

Meaghan E. Watson

From: Amy J. Denz
Sent: Thursday, March 08, 2018 3:35 PM
To: Meaghan E. Watson
Subject: App E _ farmlands Rating Evaluation Request - Williston Northeast Truck Reliever Route - Alternative H

From: Sieler, Steve - NRCS, Bismarck, ND <steve.sieler@nd.usda.gov>
Sent: Monday, November 13, 2017 9:44 AM
To: Megan M. Beyer <mbeyer@wenck.com>
Subject: RE: Farmlands Rating Evaluation Request - Williston Northeast Truck Reliever Route - Alternative H

Thank you Megan….

Steven J. Sieler

Steven J. Sieler
State Soil Liaison
Natural Resources Conservation Service
United States Department of Agriculture
220 East Rosser Avenue
PO Box 1458
Bismarck, ND 58502-1458
701-530-2019

From: Megan M. Beyer [mailto:mbeyer@wenck.com]
Sent: Thursday, November 09, 2017 5:08 PM
To: Sieler, Steve - NRCS, Bismarck, ND <steve.sieler@nd.usda.gov>
Subject: RE: Farmlands Rating Evaluation Request - Williston Northeast Truck Reliever Route - Alternative H

Attached is the completed form. Please let me know if you have any questions.

Thank you!

Megan Beyer, PE (MN, IA)
Project Engineer / Associate

From: Sieler, Steve - NRCS, Bismarck, ND [mailto:steve.sieler@nd.usda.gov]
Sent: Thursday, November 09, 2017 9:31 AM
To: Megan M. Beyer <mbeyer@wenck.com>
Subject: RE: Farmlands Rating Evaluation Request - Williston Northeast Truck Reliever Route - Alternative H

Good Morning Megan,

Attached is the Farmland Conversion Impact Rating for Corridors pertaining to the Williston NE Truck Reliever Route. I have completed Parts II, III and IV. The last step in the process is for you to complete Part VI, the "Corridor Assessment." Instruction for Part VI are located on page 2 of the attached NRCS-CPA-106 form. Please give me a call at 701-530-2019 if you have questions.

Upon completion, NRCS would appreciate a copy of the NRCS-CPA-106 form for year-end reporting purposes.

Steven J. Sieler

Steven J. Sieler
State Soil Liaison
Natural Resources Conservation Service
United States Department of Agriculture
220 East Rosser Avenue
PO Box 1458
Bismarck, ND 58502-1458
701-530-2019

From: Megan M. Beyer [mailto:mbeyer@wenck.com]
Sent: Monday, November 06, 2017 2:21 PM
To: Sieler, Steve - NRCS, Bismarck, ND <steve.sieler@nd.usda.gov>
Cc: Amy J. Denz <adenz@wenck.com>
Subject: Farmlands Rating Evaluation Request - Williston Northeast Truck Reliever Route - Alternative H

Hi Steve,

Attached is a Farmland Conversion Impact Rating Form for the Williston NE Truck Reliever Route. I believe that you worked with Alicia Konsor from our office previously to complete forms for other alternative routes for this project. We need to complete the impact form for another alternative route, "Alternative H" (or "black"). Please assist with completing the attached form (or direct us to the appropriate person who can assist). Attached also is a figure of farmland soils, a table with farmland soils and soil map units, and shapefile data for the Alternative H corridor.

Please let us know if you need additional information or have questions. Thank you!

Megan Beyer, PE (MN, IA)
Project Engineer / Associate

mbeyer@wenck.com | D **763.479.5155** | C **612.597.4244**
1800 Pioneer Creek Center | Maple Plain, MN 55359

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Appendix E

Wetland Impacts, USACE Jurisdictional Determination, and Conceptual Mitigation Plan

Alternative D - Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impacts Acre(s)			USFWS Easement Impacts Acre(s)		Wetland Mitigation						
										Mitigation Required			Onsite			
					Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm.	EO 11990	USACE	USFWS	Mitigation Location; Ratio	Acre(s)	Constructed Site #	Constructed Size Acre(s)
1h	Sec. 19, T155N, R100W	Basin	Natural	Yes	0.26	1.63	0.63			Y	Y	N	Site 5; (1:1)	2.26	Site 5	2.26
15	Sec. 20, T155N, R100W	Basin	Artificial	No	0.11	1.05				N	N	N				
24	Sec. 21, T155N, R100W	Basin	Natural	No		0.21	0.04			Y	N	N	Site 9; (1:1)	0.25	Site 9	0.25
28b	Sec. 11, T154N, R100W	Riverine	Natural	No		0.03				Y	N	N	Site 6; (1:1)	0.03	Site 6	0.03
29a	Sec. 2, T154N, R100W	Riverine	Natural	Yes	0.01	0.46				Y	Y	N	Site 7; (1:1)	0.46	Site 7	0.46
32	Sec. 3, T154N, R100W	Riverine	Natural	Yes	0.01	0.23				Y	Y	N	Site 8; (1:1)	0.23	Site 8	0.23
				Totals	**0.39**	**3.61**	**0.67**	**0**	**0**					**3.23**		**3.23**

Alternative D - Other Waters Impact Table

Other Waters												
			Size				Impacts to Other Waters					
							Acres			Linear Feet		
Number	Location	Type	Acre(s)	Linear Feet	Feature	USACE Jurisdictional[1]	Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm. (Fill/Drain)	Perm. (Cut)
OW 1g	Sec. 19 T155N, R100W	River	2.57	930	River	Yes	0.13	0.09		20	90	
OW 1i	Sec. 18/19 T155N, R100W	River	2.01	708	River	Yes	0.06	0.01		20	24	
OW16e	Sec. 2 T154N, R100W	Creek	0.85	1130	Creek	Yes	0.01	0.17		20	320	
						Totals	**0.20**	**0.27**	**0.00**	**60**	**434**	**0**

[1] Wetland Jurisdictional Determinations were issued by the USACE on 11/21/2016 and 09/29/2017; NWO-2016-01946-BIS.

[2] All impacts to natural wetlands (natural/jurisdictional and natural/non-jurisdictional), regardless of size, as well as impacts greater than 0.10 acre to artificial/jurisdictional wetlands require mitigation.

[3] All artificial/non-jurisdictional, deep water (impacts greater than 6.6 feet), and temporary impacts do not require mitigation. Other Waters determined by the USACE on a case by case.

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	Total (Acres)	Wetland Type	Total (Acres/Lf)
Natural/JD (Fill/Drain)	2.32	Temporary JD	0.28
Natural/Non-JD (Fill/Drain)	0.24	Non-JD Temporary	0.11
Artificial/JD (Fill/Drain)		Permanent JD > 0.10	2.95
Artificial /Non-JD (Fill/Drain))	1.05	Permanent OW	0.27 ac./ 434 ft.
Total	**3.61**	Temporary OW	0.20 ac./ 60 ft.
JD Natural (Cut)	0.63		
JD Artificial (Cut)			
Non-JD Natural (Cut)	0.04		
Non-JD Artificial (Cut)			
Total	**0.67**		

Mitigation Summary Table

	Location	Onsite Acre(s)
USACE Only		
EO 11990 Only	Onsite	0.28
USACE/11990	Onsite	2.95
USFWS		
	Total	**3.23**

Alternative G - Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impacts Acre(s)			USFWS Easement Impacts Acre(s)		Wetland Mitigation						
										Mitigation Required			Onsite			
					Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm.	EO 11990	USACE	USFWS	Mitigation Location; Ratio	Acre(s)	Constructed Site #	Constructed Size Acre(s)
1h	Sec. 19, T155N, R100W	Basin	Natural	Yes	0.26	1.63	0.63			Y	Y	N	Site 5; (1:1)	2.26	Site 5	2.26
*15	Sec. 20, T155N, R100W	Basin	Artificial	No	0.11	1.05				N	N	N				
28b	Sec. 11, T154N, R100W	Riverine	Natural	No		0.03				Y	N	N	Site 6; (1:1)	0.03	Site 6	0.03
29a	Sec. 2, T154N, R100W	Riverine	Natural	Yes	0.01	0.46				Y	Y	N	Site 7; (1:1)	0.46	Site 7	0.46
32	Sec. 3, T154N, R100W	Riverine	Natural	Yes	0.01	0.23				Y	Y	N	Site 8; (1:1)	0.23	Site 8	0.23
47	Sec. 28, T155N, R100W	Riverine	Natural	No	0.03	0.34				Y	N	N	Site 10; (1:1)	0.34	Site 10	0.34
49	Sec. 28, T155N, R100W	Riverine	Natural	No			0.03			Y	N	N	Site 11; (2:1)	0.06	Site 11	0.08
50	Sec. 28, T155N, R100W	Riverine	Natural	No			0.01			Y	N	N	Site 11; (2:1)	0.02	Site 11	0.08
				Totals	**0.42**	**3.74**	**0.67**	**0**	**0**					**3.40**		**3.40**

Alternative G - Other Waters Impact Table

Other Waters												
			Size				Impacts to Other Waters					
							Acres			Linear Feet		
Number	Location	Type	Acre(s)	Linear Feet	Feature	USACE Jurisdictional[1]	Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm. (Fill/Drain)	Perm. (Cut)
OW 1g	Sec. 19 T155N, R100W	River	2.57	930	River	Yes	0.13	0.09		20	90	
OW 1i	Sec. 18/19 T155N, R100W	River	2.01	708	River	Yes	0.06	0.01		20	24	
OW16e	Sec. 2 T154N, R100W	Creek	0.85	1130	Creek	Yes	0.01	0.17		20	320	
						Totals	0.20	0.27	0.00	60	434	0

[1] Wetland Jurisdictional Determinations were issued by the USACE on 11/21/2016 and 09/29/2017; NWO-2016-01946-BIS.

[2] All impacts to natural wetlands (natural/jurisdictional and natural/non-jurisdictional), regardless of size, as well as impacts greater than 0.10 acre to artificial/jurisdictional wetlands require mitigation.

[3] All artificial/non-jurisdictional, deep water (impacts greater than 6.6 feet), and temporary impacts do not require mitigation. Other Waters determined by the USACE on a case by cas

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	Total (Acres)	Wetland Type	Total (Acres/Lf)
Natural/JD (Fill/Drain)	2.32	Temporary JD	0.28
Natural/Non-JD (Fill/Drain)	0.37	Non-JD Temporary	0.14
Artificial/JD (Fill/Drain)		Permanent JD > 0.10	2.95
Artificial /Non-JD (Fill/Drain))	1.05	Permanent OW	0.27 ac./ 434 ft.
Total	**3.74**	Temporary OW	0.20 ac./ 60 ft.
JD Natural (Cut)	0.63		
JD Artificial (Cut)			
Non-JD Natural (Cut)	0.04		
Non-JD Artificial (Cut)			
Total	**0.67**		

Mitigation Summary Table

	Location	Onsite Acre(s)
USACE Only		
EO 11990 Only	Onsite	0.45
USACE/11990	Onsite	2.95
USFWS		
	Total	**3.4**

Alternative H - Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impacts Acre(s)			USFWS Easement Impacts Acre(s)		Wetland Mitigation						
										Mitigation Required			Onsite			
					Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm.	EO 11990	USACE	USFWS	Mitigation Location; Ratio	Acre(s)	Constructed Site #	Constructed Size Acre(s)
1h	Sec. 19, T155N, R100W	Basin	Natural	Yes	0.26	1.63	0.63			Y	Y	N	Site 5; (1:1)	2.26	Site 5	2.26
15	Sec. 20, T155N, R100W	Basin	Artificial	No	0.11	1.05				N	N	N				
16a	Sec. 21, T154N, R100W	Riverine	Natural	Yes	0.03	0.40				Y	Y	N	Site 1; (1:1)	0.40	Site 1	0.40
16i	Sec. 16, T154N, R100W	Ditch	Artificial	Yes	0.01	0.07				N	N	N				
21	Sec. 33, T155N, R100W	Riverine	Natural	No	0.02	0.16				Y	N	N	Site 3; (1:1)	0.16	Site 3	0.16
49	Sec. 28, T155N, R100W	Riverine	Natural	No			0.03			Y	N	N	Site 4; (2:1)	0.06	Site 4	0.08
50	Sec. 28, T155N, R100W	Riverine	Natural	No			0.01			Y	N	N	Site 4; (2:1)	0.02	Site 4	0.08
53	Sec. 9, T154N, R100W	Riverine	Natural	Yes	0.01	0.41				Y	Y	N	Site 2; (2:1)	0.82	Site 2	0.82
				Totals	**0.44**	**3.72**	**0.67**	**0.00**	**0.00**					**3.72**		**3.72**

Alternative H - Other Waters Impact Table

Other Waters												
Number	Location	Type	Size		Feature	USACE Jurisdictional[1]	Impacts to Other Waters					
							Acres			Linear Feet		
			Acre(s)	Linear Feet			Temp.	Perm. (Fill/Drain)	Perm. (Cut)	Temp.	Perm. (Fill/Drain)	Perm. (Cut)
OW 1g	Sec. 19 T155N, R100W	River	2.57	930	River	Yes	0.13	0.09		20	90	
OW 1i	Sec. 18/19 T155N, R100W	River	2.01	708	River	Yes	0.06	0.01		20	24	
OW16j	Sec. 16 T154N, R100W	Creek	0.96	868	Creek	Yes	0.02	0.39		20	320	
						Totals	0.21	0.49	0.00	60	434	0

[1] Wetland Jurisdictional Determinations were issued by the USACE on 11/21/2016 and 09/29/2017; NWO-2016-01946-BIS.

[2] All impacts to natural wetlands (natural/jurisdictional and natural/non-jurisdictional), regardless of size, as well as impacts greater than 0.10 acre to artificial/jurisdictional wetlands require mitigation.

[3] All artificial/non-jurisdictional, deep water (impacts greater than 6.6 feet), and temporary impacts do not require mitigation. Other Waters determined by the USACE on a case by case

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	Total (Acres)	Wetland Type	Total (Acres/Lf)
Natural/JD (Fill/Drain)	2.44	Temporary JD	0.31
Natural/Non-JD (Fill/Drain)	0.16	Non-JD Temporary	0.13
Artificial/JD (Fill/Drain)	0.07	Permanent JD > 0.10	3.23
Artificial /Non-JD (Fill/Drain))	1.05	Permanent OW	0.49 ac./ 434 ft.
Total	**3.72**	Temporary OW	0.21 ac./ 60 ft.
JD Natural (Cut)	0.63		
JD Artificial (Cut)			
Non-JD Natural (Cut)	0.04		
Non-JD Artificial (Cut)			
Total	**0.67**		

Mitigation Summary Table

	Location	Onsite Acre(s)
USACE Only		
EO 11990 Only	Onsite	0.24
USACE/11990	Onsite	3.48
USFWS		
	Total	**3.72**

North Dakota Department of Transportation

Thomas K. Sorel
Director

Doug Burgum
Governor

September 11, 2017

Ms. Patricia McQueary, State Program Manager
US Army Corps of Engineers
North Dakota Regulatory Office
3319 University Dr.
Bismarck, ND 58504

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY
Wetland Jurisdictional Request

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated

This project is currently unfunded and does not have a bid opening scheduled for construction at this time.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated study corridor width will be approximately 300 to 400 feet or more depending on project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will

not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the project area as feasible based on suitability, and would require environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

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 agency may own or have an interest in adjacent to the proposed highway improvement. We would also appreciate being made aware of any proposed developments your agency, or any other parties, may be contemplating in the areas under consideration for the proposed highway project. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in the "Environmental Assessment" that is being prepared.

Waterbodies in the vicinity of the project include the Little Muddy River and Stony Creek. A map indicating the delineated waterbodies and/or wetlands within the project area is enclosed. The delineation map was completed by the Wenck Associates on 7/17/16.

Please provide a determination for each of the waterbodies and/or wetlands and identify them on the enclosed table. This may include an approved jurisdictional determination, preliminary jurisdictional determination, and/or identification of preamble waters. It is requested that you forward this determination(s), and any comments or other information to our office by October 8, 2017. We will apply for a Section 404 Permit if any jurisdictional waters will be impacted by the project.

NDDOT grants the US Army Corps of Engineers right of entry to legally access any of the project area within roadway right of way. Any areas outside of roadway right of way requires notification so NDDOT can accompany you to the field or obtain permission where necessary.

If further information is desired regarding the proposed roadway improvement, please contact Matt Sperry at 328-3486 in Bismarck, ND.

MATT SPERRY, ENVIRONMENTAL SECTION LEADER
Jh/ms
Enclosure

North Dakota Department of Transportation

Thomas K. Sorel
Director

Doug Burgum
Governor

MEMORANDUM

TO: Patricia McQueary, Regulatory Program Manager, USACE

FROM: Paul J Moch - Environmental and Transportation Services, NDDOT

DATE: October 4, 2017

SUBJECT: Concurrence of USACE Preliminary Jurisdictional Determination
USACE Number: NWO-2016-01946-BIS
Issue Date: September 29, 2017
NDDOT Project No.: 7-804(053)900
NDDOT PCN: 20788

Please find attached our concurrence for preliminary jurisdictional determination NWO-2016-01946-BIS.

If there are any additional questions please contact me at (701)328-3586.

Paul J Moch

Enc: Signed Preliminary Jurisdictional Determination Form
194:pm

608 East Boulevard Avenue • Bismarck, North Dakota 58505-0700
Information: 1-855-NDROADS (1-855-637-6237) • FAX: (701) 328-0310 • TTY: 711 • dot.nd.gov

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

September 29, 2017

NWO-2016-01946-BIS

RECEIVED
NDDOT
OCT 2 - 2017
ENVIRONMENTAL AND TRANSPORTATION SERVICES, BISMARCK, ND

North Dakota Department of Transportation
Attn: Mr. Paul Moch
608 East Boulevard Avenue
Bismarck, North Dakota 58505-0700

Dear Mr. Moch:

We have reviewed the addendum to your request for Department of the Army, US Army Corps of Engineers (Corps), jurisdictional determination (JD) for the construction of the Williston NE Truck Reliever Route (PCN 20788). The additional aquatic resources are located in Sections 9, 16, and 21, Township 154 North, Range 100 West, Williams County, North Dakota.

Based on the information that you provided, we have determined that waters identified in your request may be jurisdictional waters of the United States. Therefore, should the proposed project result in the placement of dredge or fill material in the identified jurisdictional waters, a Corps permit, pursuant to Section 404 of the Clean Water Act, will be required for jurisdictional waters prior to construction activities.

The enclosed preliminary JD is our written indication that waters in your project area may be jurisdictional WOUS. Such waters will be treated as jurisdictional WOUS for purposes of computation of impacts and compensatory mitigation requirements. If you concur with the findings of the enclosed preliminary JD, please sign it and return it to the letterhead address. If you believe the preliminary JD is inaccurate, you may request this office complete an approved JD prior to your commencement of any work in a WOUS. Completion of an approved JD may require a field delineation and coordination with the U.S. Environmental Protection Agency.

This determination was conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenants are USDA program participants, or anticipate participation in the USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

The Omaha District, North Dakota Regulatory Branch 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://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. 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.

Please refer to identification number **NWO-2016-01946-BIS** in any correspondence concerning this project. If you have any questions, please contact Mr. Swade Hammond, by email at *Swade.D.Hammond@usace.army.mil*, or telephone at (701) 255-0015 X 2012. For more information regarding our program, please visit our website at http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx.

Sincerely,

Patricia L. McQueary
Regulatory Program Manager
North Dakota

Enclosure(s)

PRELIMINARY JURISDICTIONAL DETERMINATION FORM
Omaha District

This preliminary JD finds that there *"may be"* waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

Regulatory Branch: **North Dakota** File/ORM #: **NWO-2016-01946-BIS** PJD Date: **September 27, 2017**

State: **ND** City/County: **Williams County**
Nearest Waterbody: **Stony Creek**

Location (Lat/Long): **48.153536°, -103.550545°**

Size of Review Area: **5.00 acres**

Name/Address Of Property Owner/ Potential Applicant: **North Dakota Department of Transportation**
Attn: Mr. Paul Moch
608 E Boulevard Avenue
Bismarck, North Dakota 58505-0700

Identify (Estimate) Amount of Waters in the Review Area

Non-Wetland Waters: **OW – 16j (Stony Creek)**
linear feet ft wide **1.54** acre(s)
Stream Flow: **Perennial and Seasonal**

Wetlands: **0.93 acre(s)** **(See Attached Table)**
Cowardin Class: **Palustrine, emergent**

Name of any Water Bodies on the site identified as Section 10 Waters: Tidal: Non-Tidal:

☒ Office (Desk) Determination **September 27, 2017**
☐ Field Determination:
Date(s) of Site Visit(s):

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply – checked items should be included in case file and, where checked and requested, appropriately reference sources below)

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☐ Data sheets prepared by the Corps.
☐ Corps navigable waters' study.
☐ U.S. Geological Survey Hydrologic Atlas:
  ☐ USGS NHD data.
  ☐ USGS HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: **1:24K; Williston East**
☒ USDA Natural Resources Conservation Service Soil Survey. **Web Soil Survey**
☒ National wetlands inventory map(s). **NWI Wetland Mapper**
☐ State/Local wetland inventory map(s).
☐ FEMA/FIRM maps.
☐ 100-year Floodplain Elevation (if known):
☒ Photographs: ☒ Aerial: **Google Earth Pro**
  ☒ Other: **2017 Site Photos**
☐ Previous determination(s). File no. and date of response letter:
☐ Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

29-Sept-2017
Signature and Date of Regulatory Project Manager (REQUIRED)

10-Oct-2017
Signature and Date of Person Requesting Preliminary JD (REQUIRED, unless obtaining the signature is impracticable)

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

US Army Corps of Engineers®
Omaha District

North Dakota Regulatory Office
Project Number: NWO-2016-1946-BIS
Project Manager: Swade Hammond
Applicant: NDDOT
Project Name: Williston NE Bypass
This table contains PJD Aquatic Resources

Regulatory & Permitting Program

Waters_Name	Cowardin	Meas.	Amount	Units	Waters_Type	Latitude	Longitude	Waterway Name
NWO-2016-1946-BIS Wetland 16g	PEM	Area	0.33	Acres	Delineate	48.167333	-103.552121	Unknown Wetland
NWO-2016-1946-BIS Wetland 16h	PEM	Area	0.01	Acres	Delineate	48.167402	-103.552673	Unknown Wetland
NWO-2016-1946-BIS Wetland 16e	PEM	Area	0.09	Acres	Delineate	48.167253	-103.552924	Unknown Wetland
NWO-2016-1946-BIS Wetland 16l	PEM	Area	0.02	Acres	Delineate	48.152785	-103.548411	Unknown Wetland
NWO-2016-1946-BIS Wetland 51	PEM	Area	0.05	Acres	Delineate	48.161937	-103.549125	Unknown Wetland
NWO-2016-1946-BIS Wetland 52	PEM	Area	0.03	Acres	Delineate	48.162759	-103.548941	Unknown Wetland
NWO-2016-1946-BIS Wetland 53	PEM	Area	0.4	Acres	Delineate	48.17008	-103.55593	Unknown Wetland
NWO-2016-1946-BIS OW-16j	R2	Area	1.54	Acres	Delineate	48.16767	-103.552951	Stony Creek

North Dakota Department of Transportation

Grant Levi, P.E.
Director

Jack Dalrymple
Governor

MEMORANDUM

TO: Patricia McQueary, Regulatory Program Manager, USACE

FROM: Cassandra Torstenson, Environmental Section Leader, NDDOT

DATE: October 31, 2016

SUBJECT: Concurrence of USACE Preliminary Jurisdictional Determination
USACE Number: NWO-2016-1946-BIS
Issue Date: October 20, 2016
NDDOT Project No.: 7-804(053)900
NDDOT PCN: 20788

Please find attached our concurrence for preliminary jurisdictional determination NWO-2016-1946-BIS.

If there are any additional questions please contact me at (701)328-3632.

Cassandra Torstenson

Enc: Signed Preliminary Jurisdictional Determination Form
194:ct:pm

608 East Boulevard Avenue • Bismarck, North Dakota 58505-0700
Information: 1-855-NDROADS (1-855-637-6237) • FAX: (701) 328-0310 • TTY: 711 • www.dot.nd.gov

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

October 20, 2016

North Dakota Regulatory Office [NWO-2016-1946-BIS]

RECEIVED
NDDOT
OCT 24 2016
ENVIRONMENTAL AND TRANSPORTATION SERVICES, BISMARCK, ND

North Dakota Department of Transportation
Attn: Ms. Cassandra Torstenson
608 East Boulevard Avenue
Bismarck, North Dakota 58505-0700

Dear Ms. Torstenson:

This is in reference to your request for a jurisdictional determination (JD) for the planned Williston NE Truck Reliever Route from US Highway 2 to ND Highway 1804. The project is located in several Sections of Townships 154 and 155 North, Ranges 100 and 101 West, Williams County, North Dakota.

The enclosed preliminary JD is our written indication that waters in your project area may be jurisdictional WOUS. Such waters will be treated as jurisdictional WOUS for purposes of computation of impacts and compensatory mitigation requirements. If you concur with the findings of the enclosed preliminary JD, please sign it and return it to the letterhead address. If you believe the preliminary JD is inaccurate, you may request this office complete an approved JD prior to your commencement of any work in a WOUS. Completion of an approved JD may require a field delineation and coordination with the U.S. Environmental Protection Agency (EPA). The request contained several artificial wetlands that have been marked as "Preamble Ditches" which are not considered WOUS. A JD was not prepared for the Preamble Waters, but a table has been provided for your convenience.

An Approved JD has been completed for the isolated wetlands in the submitted request. However, it is currently in coordination with the EPA. Once the U.S. Army Corps of Engineers receives a response from the EPA, you will be notified. The coordination process for isolated wetlands is twenty-one (21) days.

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://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. 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.

Printed on Recycled Paper

Should you have any questions regarding this determination, please do not hesitate to contact Mr. Swade Hammond of this office by letter or telephone (701)-255-0015 ext. 2012 and reference Project Number **NWO-2016-1946-BIS**.

Sincerely,

Jason Ruhr

for Patricia L. McQueary
Regulatory Program Manager
North Dakota Regulatory Office

Enclosure

~~PRELIMINARY JURISDICTIONAL DETERMINATION FORM~~
Omaha District

This preliminary JD finds that there *"may be"* waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

Regulatory Branch: **North Dakota** File/ORM #: **NWO-2016-01946-BIS** PJD Date: **October 20, 2016**

State: **ND** City/County: **Williams County** Nearest Waterbody: **Stoney Creek** Location (Lat/Long): **48.153536°, -103.550545°** Size of Review Area: **50.00 acres**	Name/Address Of Property Owner/ Potential Applicant: **North Dakota Department of Transportation** **Attn: Ms. Cassandra Torstenson** **608 E Boulevard Avenue** **Bismarck, North Dakota 58505-0700**
Identify (Estimate) Amount of Waters in the Review Area **Non-Wetland Waters:** linear feet: **6,786 / 23.85 acre(s)** **(See Table)** Stream Flow: **Intermittent and Perennial** **Wetlands: 47.15 acre(s)** Cowardin Class: **PEM and PAB** **(See Table)**	Name of any Water Bodies on the site identified as Section 10 Waters: Tidal: Non-Tidal: ☒ Office (Desk) Determination: **October 20, 2016** ☒ Field Determination: **Consultant completed field work** Date(s) of Site Visit(s): **Oct. 2015 and June 2016**

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply – checked items should be included in case file and, where checked and requested, appropriately reference sources below)

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
- ☐ Data sheets prepared by the Corps.
- ☐ Corps navigable waters' study.
- ☐ U.S. Geological Survey Hydrologic Atlas:
  - ☐ USGS NHD data.
  - ☐ USGS HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: **1:24K; ND-WILLISTON EAST**
- ☒ USDA Natural Resources Conservation Service Soil Survey.
- ☒ National wetlands inventory map(s).
- ☐ State/Local wetland inventory map(s).
- ☐ FEMA/FIRM maps.
- ☐ 100-year Floodplain Elevation (if known):
- ☒ Photographs: ☒ Aerial: **Google Earth Pro**
  ☒ Other: **Site Photos**
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

20-Oct.-2016 — Signature and Date of Regulatory Project Manager (REQUIRED)

Cassandra Torstenson 10/31/16 — Signature and Date of Person Requesting Preliminary JD (REQUIRED, unless obtaining the signature is impracticable)

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

Waters_Name	Cowardin_	Meas_	Amount	Units	Waters_Type	Latitude	Longitude	Local_Waterway
Jurisdictional								
NWO-2016-1946-BIS Wetland 1a	PEM	Area	1.1	ACRE	DELINEATE	48.14803	-103.594028	Unknown Wetland
NWO-2016-1946-BIS Wetland 1c	PEM	Area	0.53	ACRE	DELINEATE	48.188079	-103.583245	Unknown Wetland
NWO-2016-1946-BIS Wetland 1e	PEM	Area	2.44	ACRE	DELINEATE	48.243642	-103.602858	Unknown Wetland
NWO-2016-1946-BIS Wetland 1f	PEM	Area	2.78	ACRE	DELINEATE	48.244667	-103.606132	Unknown Wetland
NWO-2016-1946-BIS Wetland 1h	PEM	Area	9.22	ACRE	DELINEATE	48.240008	-103.58922	Unknown Wetland
NWO-2016-1946-BIS Wetland 1l	PEM	Area	0.1	ACRE	DELINEATE	48.246006	-103.582758	Unknown Wetland
NWO-2016-1946-BIS Wetland 1m	PEM	Area	0.09	ACRE	DELINEATE	48.244468	-103.585869	Unknown Wetland
NWO-2016-1946-BIS Wetland 1n	PEM	Area	0.28	ACRE	DELINEATE	48.247499	-103.57648	Unknown Wetland
NWO-2016-1946-BIS Wetland 1o	PEM	Area	0.7	ACRE	DELINEATE	48.250962	-103.568736	Unknown Wetland
NWO-2016-1946-BIS Wetland 1p	PAB	Area	2.58	ACRE	DELINEATE	48.252117	-103.585962	Unknown Wetland
NWO-2016-1946-BIS Wetland 1r	PEM	Area	0.88	ACRE	DELINEATE	48.241521	-103.589462	Unknown Wetland
NWO-2016-1946-BIS Wetland 1t	PEM	Area	0.07	ACRE	DELINEATE	48.147439	-103.594626	Unknown Wetland
NWO-2016-1946-BIS Wetland 1u	PEM	Area	0.11	ACRE	DELINEATE	48.146696	-103.595052	Unknown Wetland
NWO-2016-1946-BIS Wetland 1v	PEM	Area	0.15	ACRE	DELINEATE	48.148628	-103.59315	Unknown Wetland
NWO-2016-1946-BIS Wetland 8a	PAB	Area	0.95	ACRE	DELINEATE	48.185113	-103.581275	Unknown Wetland
NWO-2016-1946-BIS Wetland 8b	PAB	Area	0.63	ACRE	DELINEATE	48.186001	-103.581544	Unknown Wetland
NWO-2016-1946-BIS Wetland 9a	PEM	Area	0.16	ACRE	DELINEATE	48.186881	-103.582156	Unknown Wetland
NWO-2016-1946-BIS Wetland 9b	PEM	Area	0.4	ACRE	DELINEATE	48.187351	-103.582166	Unknown Wetland
NWO-2016-1946-BIS Wetland 16a	PEM	Area	0.88	ACRE	DELINEATE	48.152835	-103.548879	Unknown Wetland
NWO-2016-1946-BIS Wetland 16b	PEM	Area	0.43	ACRE	DELINEATE	48.151497	-103.545023	Unknown Wetland
NWO-2016-1946-BIS Wetland 16c	PEM	Area	1.27	ACRE	DELINEATE	48.167601	-103.549222	Unknown Wetland
NWO-2016-1946-BIS Wetland 16f	PEM	Area	0.03	ACRE	DELINEATE	48.153536	-103.550545	Unknown Wetland
NWO-2016-1946-BIS Wetland 17	PEM	Area	1.16	ACRE	DELINEATE	48.150884	-103.542943	Unknown Wetland
NWO-2016-1946-BIS Wetland 18a	PEM	Area	0.42	ACRE	DELINEATE	48.141448	-103.539857	Unknown Wetland
NWO-2016-1946-BIS Wetland 18b	PEM	Area	0.84	ACRE	DELINEATE	48.142001	-103.538617	Unknown Wetland
NWO-2016-1946-BIS Wetland 19	PEM	Area	0.2	ACRE	DELINEATE	48.153678	-103.54681	Unknown Wetland
NWO-2016-1948-BIS Wetland 20	PEM	Area	0.07	ACRE	DELINEATE	48.162121	-103.546033	Unknown Wetland
NWO-2016-1946-BIS Wetland 25	PEM	Area	0.33	ACRE	DELINEATE	48.232032	-103.535378	Unknown Wetland
NWO-2016-1946-BIS Wetland 29a	PEM	Area	0.89	ACRE	DELINEATE	48.187919	-103.509478	Unknown Wetland
NWO-2016-1946-BIS Wetland 29b	PEM	Area	0.24	ACRE	DELINEATE	48.187817	-103.510792	Unknown Wetland
NWO-2016-1946-BIS Wetland 31	PEM	Area	0.15	ACRE	DELINEATE	48.192245	-103.516676	Unknown Wetland

NWO-2016-1946-BIS Wetland 32	PEM	Area	0.54	ACRE	DELINEATE	48.19412	-103.519248	Unknown Wetland
NWO-2016-1946-BIS Wetland 34	PEM	Area	0.07	ACRE	DELINEATE	48.193919	-103.515445	Unknown Wetland
NWO-2016-1946-BIS Wetland 42a	PEM	Area	0.95	ACRE	DELINEATE	48.241551	-103.586596	Unknown Wetland
NWO-2016-1946-BIS Wetland 42b	PEM	Area	0.1	ACRE	DELINEATE	48.24159	-103.584687	Unknown Wetland
NWO-2016-1946-BIS Wetland 43	PEM	Area	0.56	ACRE	DELINEATE	48.233559	-103.535224	Unknown Wetland
NWO-2016-1946-BIS OW 1b	R2	Area	14.3	ACRE	DELINEATE	48.14914	-103.594933	Little Muddy River
NWO-2016-1946-BIS OW 1d	R2	Area	1.32	ACRE	DELINEATE	48.235867	-103.593499	Little Muddy River
NWO-2016-1946-BIS OW 1g	R2	Area	2.57	ACRE	DELINEATE	48.238666	-103.586366	Little Muddy River
NWO-2016-1946-BIS OW 1i	R2	Area	2.01	ACRE	DELINEATE	48.241464	-103.584157	Little Muddy River
NWO-2016-1946-BIS OW 1k	R2	Area	1.83	ACRE	DELINEATE	48.245536	-103.583028	Little Muddy River
NWO-2016-1946-BIS OW 1s	R2	Area	0.36	ACRE	DELINEATE	48.237032	-103.585724	Little Muddy River
NWO-2016-1946-BIS Wetland OW 16d	R4	Area	0.61	ACRE	DELINEATE	48.169072	-103.550891	Stony Creek
NWO-2016-1946-BIS Wetland OW 16e	R4	Area	0.85	ACRE	DELINEATE	48.192321	-103.515781	Stony Creek

Waters_Name	Cowardin	Meas	Amount	Units	Waters_Type	Latitude	Longitude	Local_Waterway
Nonjurisdictional								
NWO-2016-1946-BIS Wetland 11 Preamble	PEM	Area	2.75	ACRE	DELINEATE	48.249143	-103.572139	Preamble Ditch
NWO-2016-1946-BIS Wetland 12 Preamble	PEM	Area	0.38	ACRE	DELINEATE	48.233345	-103.579496	Preamble Ditch
NWO-2016-1946-BIS Wetland 13 Preamble	PEM	Area	0.3	ACRE	DELINEATE	48.233369	-103.5788	Preamble Ditch
NWO-2016-1946-BIS Wetland 14 Preamble	PEM	Area	0.8	ACRE	DELINEATE	48.234543	-103.579219	Preamble Ditch
NWO-2016-1946-BIS Wetland 15 Preamble	PEM	Area	2.43	ACRE	DELINEATE	48.235508	-103.57825	Preamble Ditch
NWO-2016-1946-BIS Wetland 38 Preamble	PEM	Area	0.05	ACRE	DELINEATE	48.149356	-103.593293	Preamble Ditch
NWO-2016-1946-BIS Wetland 40 Preamble	PEM	Area	0.29	ACRE	DELINEATE	48.146819	-103.592086	Preamble Ditch
NWO-2016-1946-BIS Wetland 41 Preamble	PEM	Area	0.2	ACRE	DELINEATE	48.233555	-103.578159	Preamble Ditch

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: NDDOT	File Number: NOW-2016-1946-BIS	Date: 10/20/16
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found in Corps regulations at 33 CFR Part 331, or at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/FederalRegulation.aspx

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: US Army Corps of Engineers, North Dakota Regulatory Office Attn: Patricia McQueary, Regulatory Program Manager 1513 South 12th Street Bismarck, ND 58504 Telephone (701) 255-0015, ext. 2001 Patricia L. McQueary@usace.army.mil	If you only have questions regarding the appeal process you may also contact: US Army Corps of Engineers, Northwestern Division Attn: Mary Hoffman, Regulatory Appeals Review Officer P.O. Box 2870 Portland, OR 97208-2870 Telephone (503) 808-3888 Mary.J.Hoffman@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:

M E M O

TO: Wayne Zacher
NDDOT Technical Representative

FR: Jen Hanley
Ulteig Consultant Project Manager

DT: Revised May 7, 2019

RE: Project 7-804(053)900 – Conceptual Wetland Mitigation Plan Rev. 1
Williston NE Truck Reliever Route
PCN 20788

NDDOT is proposing a permanent truck reliever route (TRR) from ND 1804 on the east side of Williston to US 2/85 on the north side of the city. This project is anticipated to include roadway design, new alignment, and construction of new and reconstructed roadway. This would include right-of-way acquisition to accommodate a four-lane roadway, structure improvements, new structures, removal of existing structures, and drainage improvements, including culverts and ditches, as needed. The TRR would be designed as a high-speed roadway with limited access.

It is anticipated that there will be wetland impacts due to the construction of the project. Three alternatives have been analyzed under the National Environmental Policy Act. Table 1 identifies the potential impacts calculated during preliminary design.

Table 1 Impact Summary

Permanent Impact Summary				Temporary Impacts and Additional Information			
Wetland Type	Alt D (Acres)	Alt G (Acres)	Alt H (Acres)	Wetland Type	Alt D Total (Acres/Lf)	Alt G Total (Acres/Lf)	Alt H Total (Acres/Lf)
Natural/JD	2.95	2.95	3.07	Temporary JD	0.28	0.28	0.30
Natural/Non-JD	0.28	0.41	0.18	Non-JD Temporary	0.11	0.14	0.14
Artificial/JD	0.0	0.0	0.07	Permanent JD > 0.10	2.95	2.95	3.07
Artificial /Non-JD	1.05	1.05	1.05	Permanent OW	0.29 ac / 435 ft	0.29 ac / 435 ft	0.51 ac / 435 ft
Total	4.28	4.41	4.37	Temporary OW	0.19 ac / 60 ft	0.19 ac / 60 ft	0.20 ac / 60 ft

Ten potential wetland mitigation sites have been identified in the study area, see attached mitigation site maps. They were placed adjacent to existing wetlands and fit into the existing landscape. An analysis was completed to verify the sites would pond water and there would be sufficient hydrology to support the existing wetlands and mitigation sites (see attached drainage area maps). The NDDOT Design Manual provides guidance on the hydrology that each acre of wetland mitigation site is supported by 10 acres of watershed. All sites exceed this ratio (see Table 2). Currently, it does not appear that utilities would be impacted by the proposed wetland mitigation sites.

Table 2 Conceptual Wetland Mitigation Sites				
Site Number	Location	Size (Acres)	Contributing Drainage Area (Acres)	Utilities Impacted
1	Sec. 1, T154N, R100W	0.4	169	No
2	Sec. 9, T154N, R100W	0.8	81	No
3	Sec. 33, T155N, R100W	0.2	282	No
4	Sec. 10, T155N, R100W	0.1	6	No
5	Sec. 19, T155N, R100W	2.3	231	No
6	Sec. 11, T154N, R100W	0.1	275	No
7	Sec. 2, T154N, R100W	0.5	14,934	No
8	Sec. 3, T154N, R100W	0.2	26	No
9	Sec. 21, T155N, R100W	0.3	6	No
10	Sec. 10, T155N, R100W	0.3	283	No

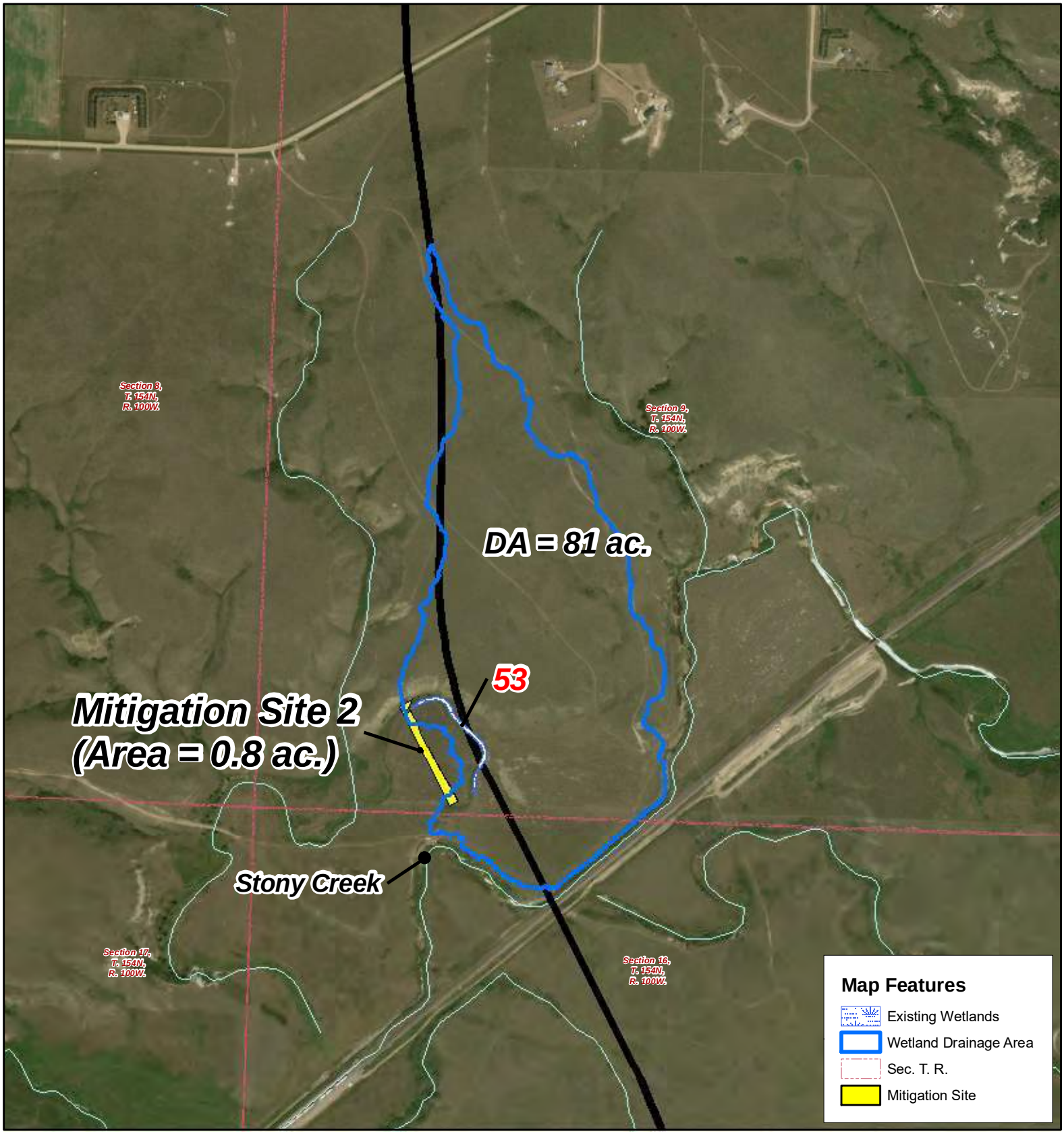
890 445 0 890 Feet

1 inch = 800 feet

N
W E
S

Mitigation Site - 1 (16a, 16l)

Ulteig



900 450 0 900 Feet

1 inch = 800 feet

N
W E
S

Mitigation Site - 2 (53)

Ulteig

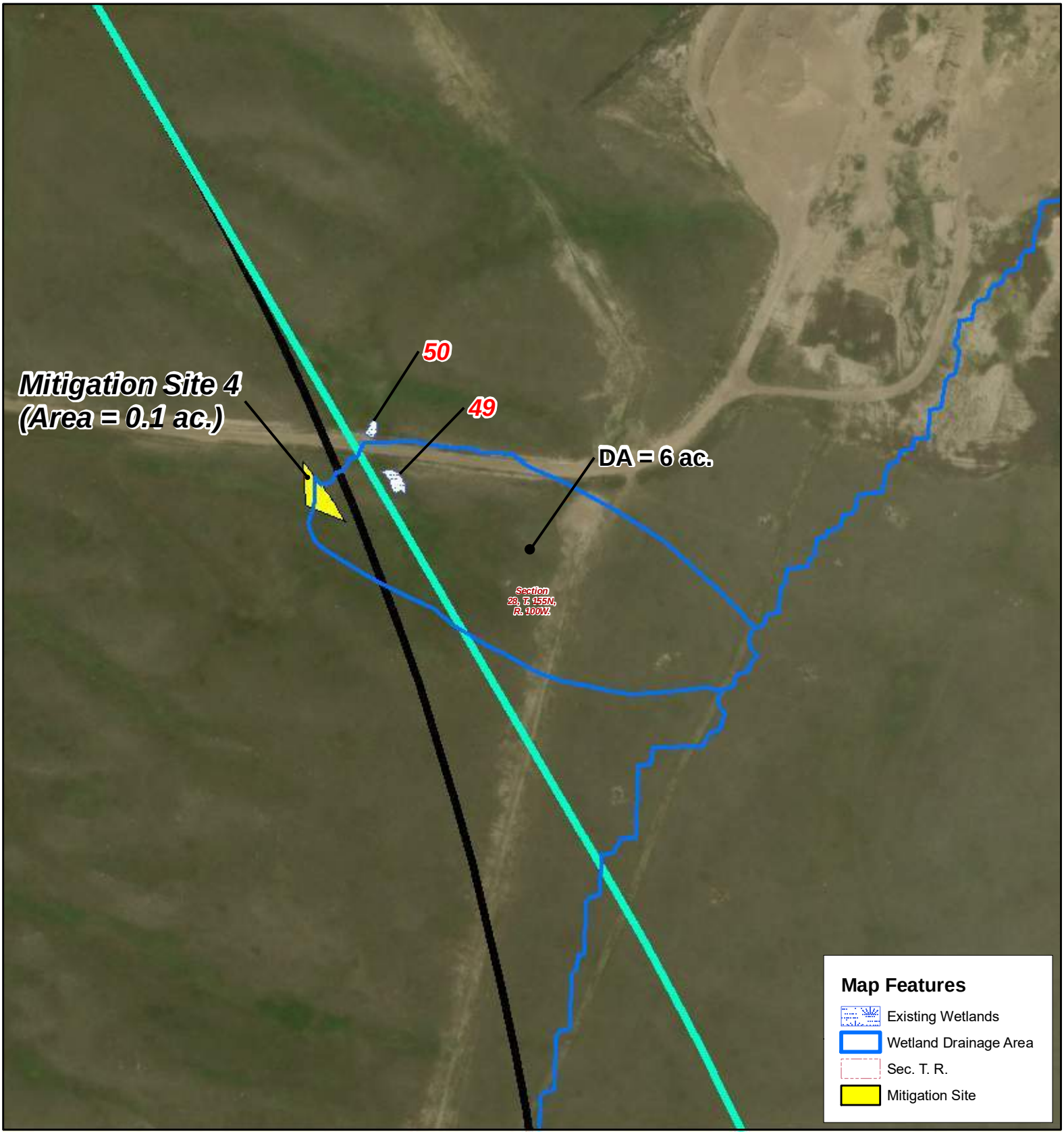
890 445 0 890 Feet

1 inch = 800 feet

N
W E
S

Mitigation Site - 3 (21)

Ulteig



N
W E
S

280 140 0 280 Feet

1 inch = 250 feet

Mitigation Site - 4 (49, 50)

Ulteig

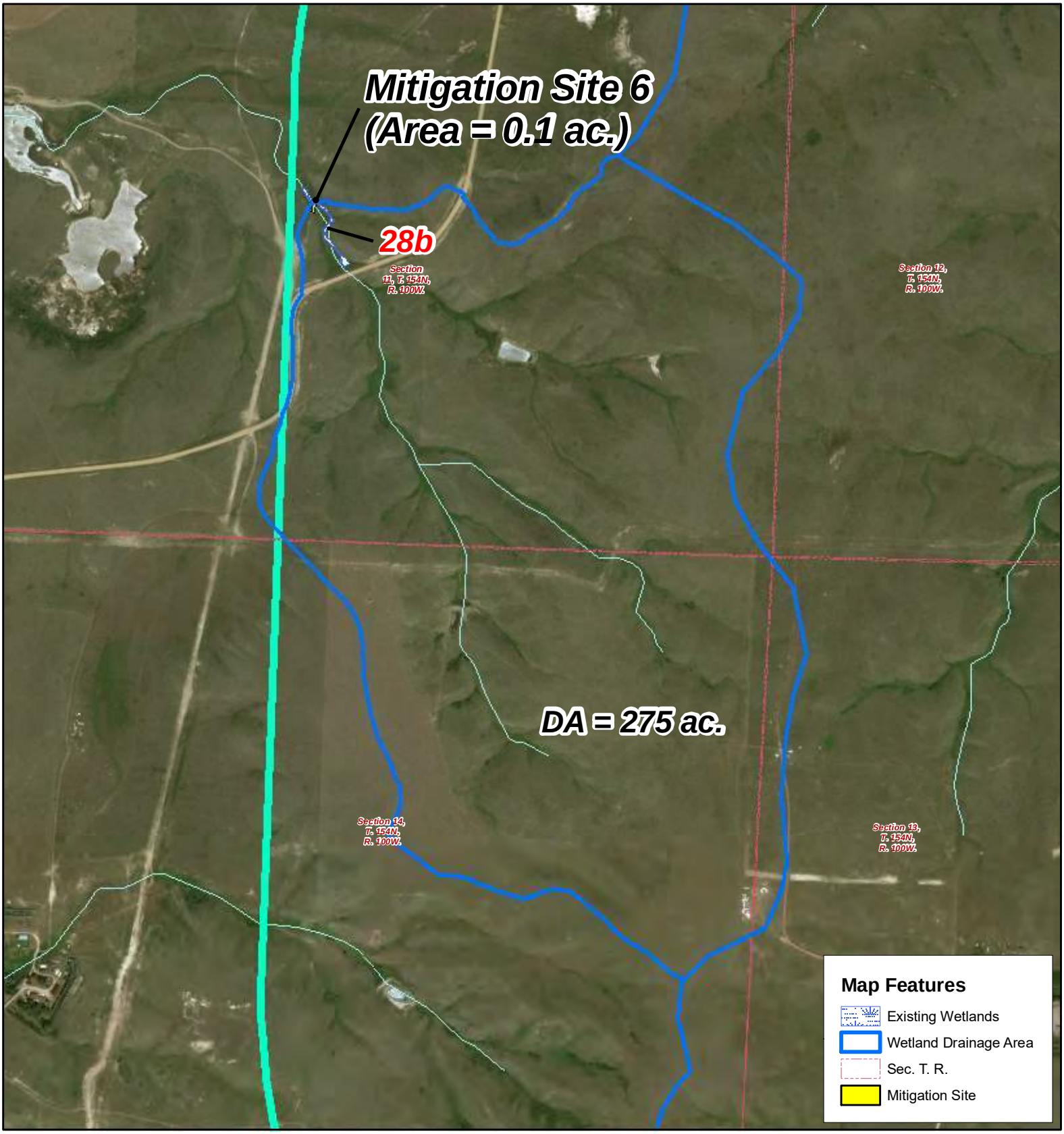
N
W E
S

1,400 700 0 1,400 Feet

1 inch = 1,250 feet

Mitigation Site - 5 (1g, 1h)

Ulteig



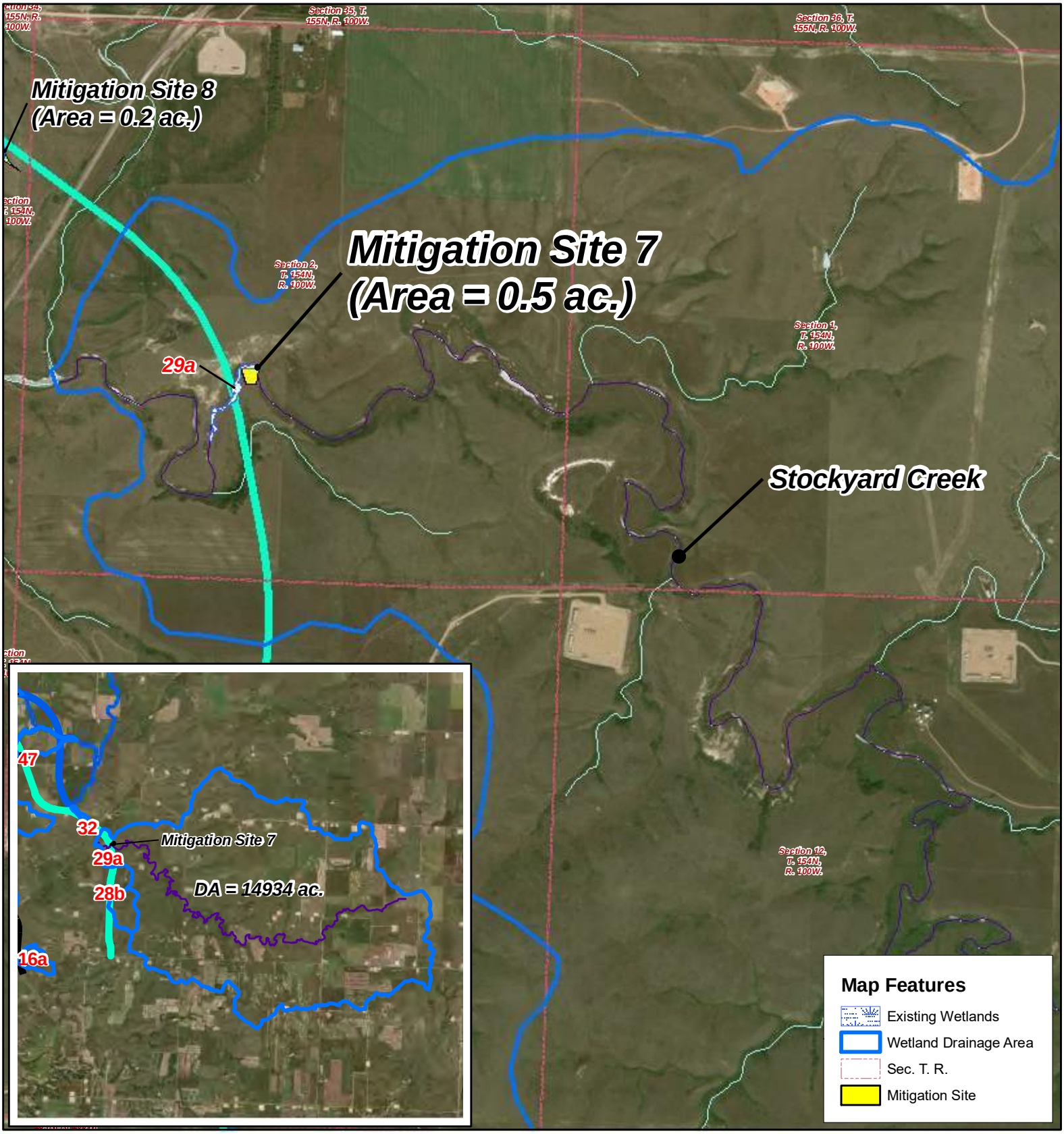
890 445 0 890 Feet

1 inch = 800 feet

N
W E
S

Mitigation Site - 6 (28b)

Ulteig



1,400 700 0 1,400 Feet

1 inch = 1,250 feet

N
W E
S

Mitigation Site - 5 (1g, 1h)

Ulteig

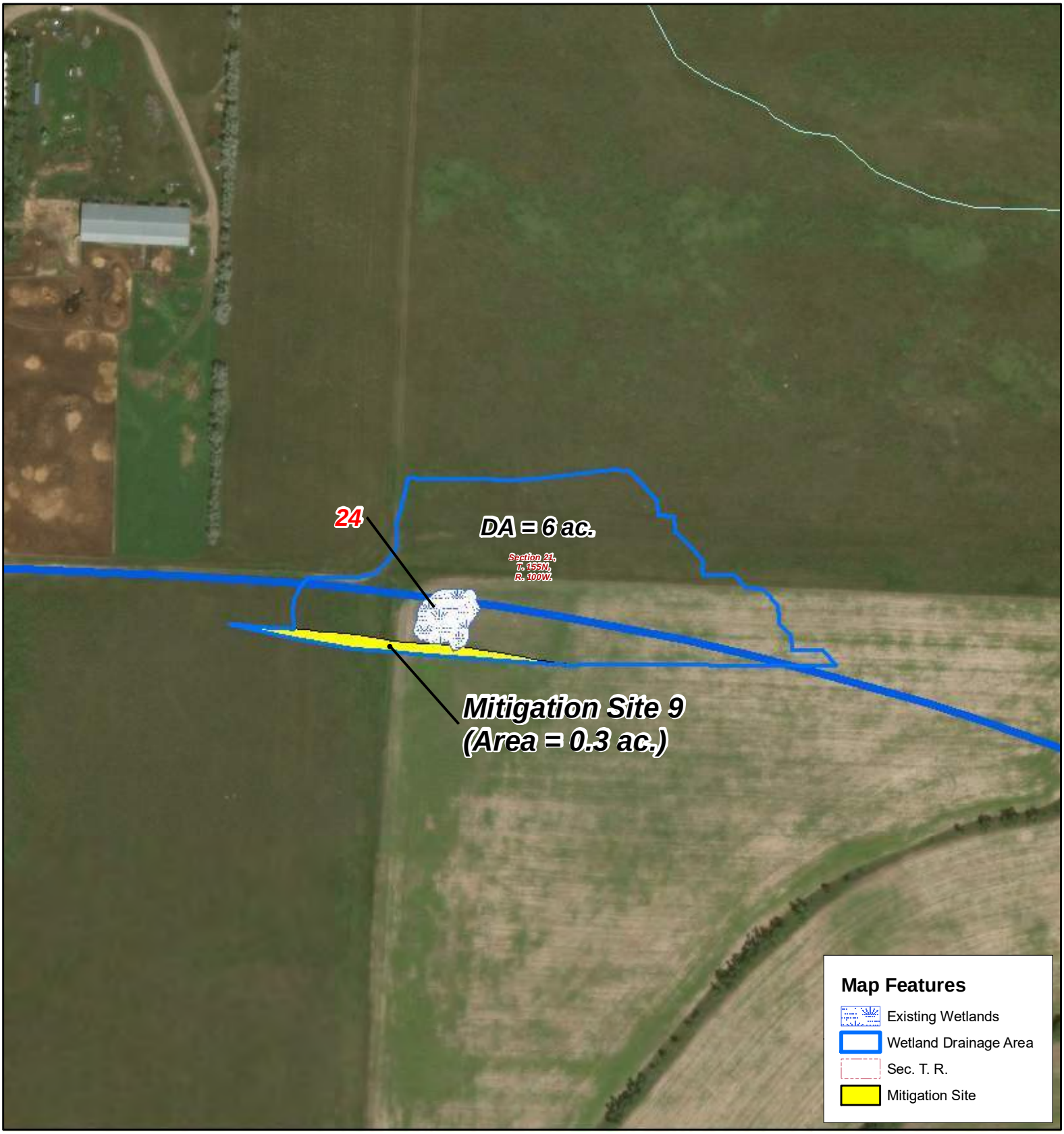
N
W E
S

880 440 0 880 Feet

1 inch = 800 feet

Mitigation Site - 8 (28b)

Ulteig



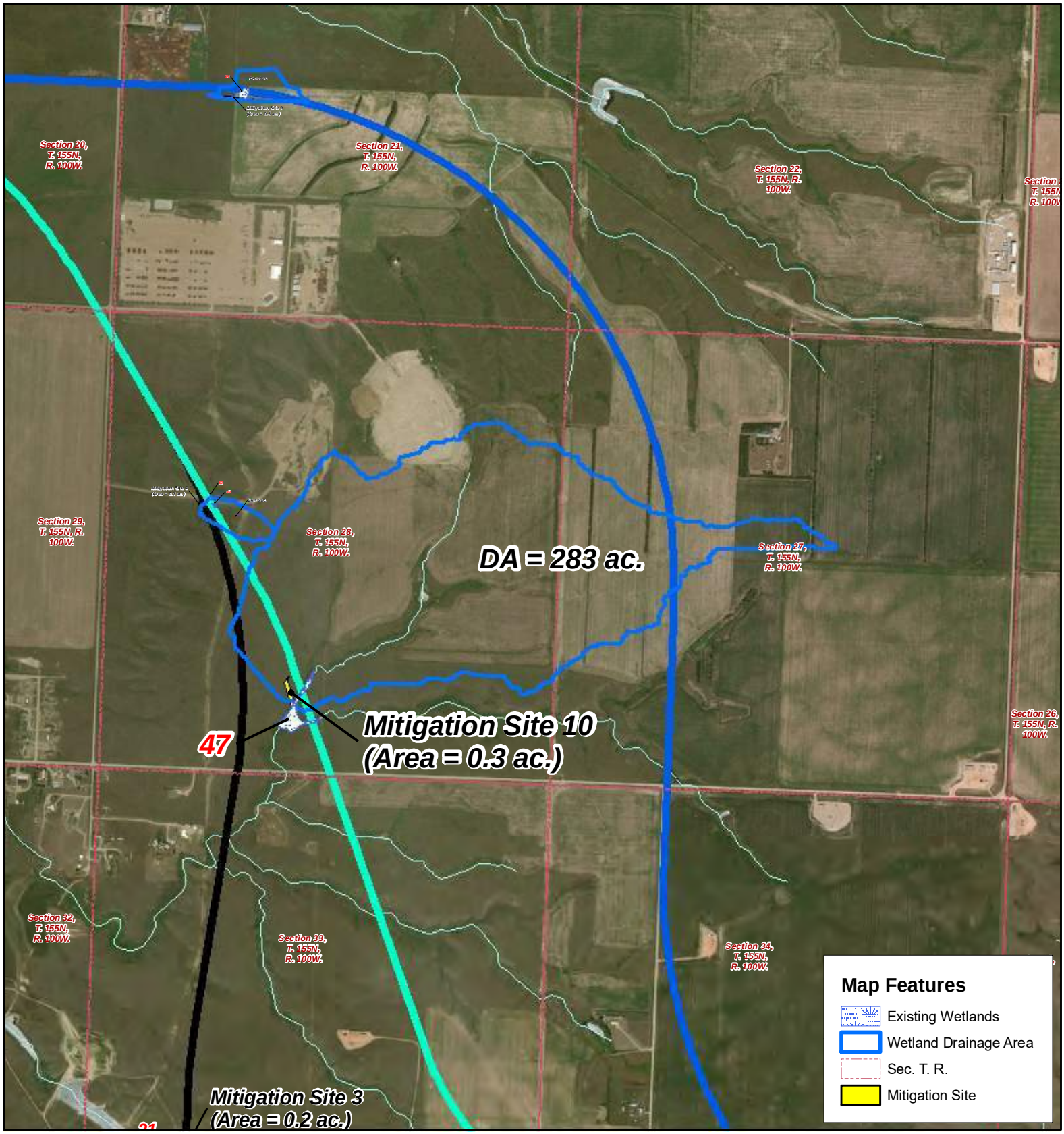
275 137.5 0 275 Feet

1 inch = 250 feet

N
W E
S

Mitigation Site - 9 (24)

Ulteig



N
W E
S

1,700 850 0 1,700 Feet

1 inch = 1,500 feet

Mitigation Site - 10 (47)

Ulteig

Appendix F

Documentation Pertaining to Section 7 of the ESA

Programmatic Biological Assessment Project Submittal Package - Page 1

Project Number/PCN: SS-7-804(053)900/PCN 20788	**Submitted By:** Wenck on behalf of Ulteig **Date:** 2/2/2018
Roadway and Project Limits: A new permanent Truck Reliever Route (TRR) from ND 1804 on the east side of Williston to US 2/85 on the north side of the city. See attached maps.	**Legal Description (Township/Range):** T155, R101, S13 & 24; T155, R100, S18, 19, 20, 21, 28, 29, 33; T154, R100, S4, 9, 16, 21. See attached maps.
Year of Construction and Approximate Duration: Year of Construction - To Be Determined Construction Duration - March-November (2 construction seasons)	**County (or Counties):** Williams County

*If more room is needed for any of the above information, add to project description on Page 2.

Threatened and Endangered Species/Critical Habitat Occurrence in County (or Counties)

- [x] Interior Least Tern
- [x] Whooping Crane
- [ ] Black-Footed Ferret
- [x] Pallid Sturgeon
- [x] Gray Wolf
- [ ] Poweshiek Skipperling
- [x] Piping Plover
- [ ] Western Prairie Fringed Orchid
- [ ] Dakota Skipper
- [x] Rufa Red Knot
- [x] Northern Long-Eared Bat*
- [x] Piping Plover Designated Critical Habitat
- [ ] Dakota Skipper Designated Critical Habitat
- [ ] Poweshiek Skipperling Designated Critical Habitat

- [ ] Dakota skipper or Poweshiek skipperling critical habitat is located within 0.6 mile of the project (see links below)
- [ ] Piping plover critical habitat is located within 0.5 mile of the project (see links below)

*Note– Projects that have tree removals, building removals, or structure work (bridge/box culverts) in areas of naturally wooded areas, must use the framework and guidelines set forth in the Programmatic 4(d) if the conservation measures identified in the NDDOT/FHWA PBA or FHWA/USFWS PBA cannot be implemented. The 4 (d) rule streamlined consultation form can be found at the following link:

https://www.fws.gov/midwest/endangered/mammals/nleb/s7.html

A county list of threatened and endangered species (and critical habitat) can be found within the PBA or at the following link:

https://www.fws.gov/northdakotafieldoffice/SEtable.pdf

Paper maps of piping plover critical habitat units can be found at the following link:

https://www.fws.gov/mountain-prairie/es/pipingPlover.php

Paper maps of Dakota skipper/Poweshiek skipperling critical habitat units can be found at the following link:

https://www.fws.gov/midwest/Endangered/insects/dask/finalch.html

Shapefiles of critical habitat units can be found and downloaded at the following link:

http://ecos.fws.gov/ecp/report/table/critical-habitat.html

The following web application to search for critical habitats in relation to project locations:

http://gis.dot.nd.gov/external/ge_html/?viewer=wildlifemap

Programmatic Biological Assessment Project Submittal Package - Page 2

Will Work Stay Within Existing ROW:?

☐ Yes ☑ No

Permanent / Temporary ROW Acreage:

New Permanent ROW: 365 acres

Wetland Mitigation Required?

☑ Yes: On-Site ☐ Yes: Off-Site ☐ No

Off-Site Location:

Temporary Bypass Required? (If yes, show location on map) ☐ Yes ☑ No

Amount of Ground Disturbance in Acres:

195 acres. Includes wetland mitigation areas within the proposed ROW. Does not include borrow obtained through the NDDOT Material Source Approval process.

SWPPP Plan Required? (Note if ground disturbance is 1 or more acres, a SWPPP plan is necessary).

☑ Yes ☐ No

Level III/IV Ecoregion:

Level III: Northwestern Glaciated Plains (42) and Northwestern Great Plains (43)
Level IV: Glaciated Dark Brown Prairie (42i) and River Breaks (43c)

Project Description (attach maps of project):

The North Dakota Department of Transportation (NDDOT) is proposing a permanent Truck Reliever Route (TRR) from ND 1804 on the east side of Williston to US 2/85 on the north side of the city. Refer to Exhibit 1, Project Location Map. This project includes new alignment, and construction of new and reconstructed roadway. This would include right-of-way (ROW) acquisition to accommodate a four-lane roadway, structure improvements, new structures, removal of existing structures, and drainage improvements, including culverts and ditches, as needed. Please refer to Exhibit 3, Alternative H Location Map. The project would be constructed in phases, and therefore would not require temporary bypasses. The TRR would be designed as a high-speed roadway with limited access to minimize traffic congestion. The need for the proposed action is response to fluctuating traffic in the Williston area. The recent completion of the Williston NW TRR (US 85) around the NW side of Williston enables trucks to travel around the west side of the city without going through town. Oil and gas development influences traffic in the area and requires improvements to the highway system, including the east side of the city, to address concerns related to transportation demand. Refer to Table 1, Existing and Projected Traffic Volumes.

The project area is located east and north of the city of Williston, in Williams County, ND. Williston is a regional center for oil and gas development. The project area can be characterized by varied topography, as open grassland, and agricultural land with both rolling hills and flat terrain, scattered with dispersed wetlands and waterways. Development in the project area also includes rural homesteads, new homesteads, new subdivisions, and oil well sites. The Burlington Northern Santa Fe (BNSF) railroad bisects the project area, as do a number of existing and planned utility corridors. Primary roads through the project area are County Road (CR) 9, CR 6, and ND 1804. Refer to Exhibit 3, Alternative H Location Map.

The proposed project includes the use of federal funds from the Federal Highway Administration (FHWA), as well as a federal permit from the US Army Corps of Engineers (USACE). These federal actions require environmental review under the National Environmental Policy Act of 1969 (NEPA). An environmental assessment (EA) was prepared in accordance with 23 Code of Federal Regulations (CFR) 771. Development of the EA included an analysis of the build alternatives and options (Exhibit 2), which resulted in identifying Alternatives D, G, H, and Alternative A – No Build for further analysis. During the environmental review process, the City of Williston and Williams County indicated support of Alternative H (black) as the preferred alternative (Exhibit 3). NDDOT concurred with Alternative H as the selected preferred alternative for the project. As part of the environmental review process for the EA, this Programmatic Biological Assessment was prepared for the preferred alternative.

Alternative H would connect to ND 1804 at a 90-degree angle at the intersection of ND 1804 and CR 9 in Section 21, as shown on Exhibit 3 – Alternative H Location Map. From the connection at ND 1804, Alternative H runs north-northwest, bisecting the Knife River Corporation property south of the CR 6/CR 9 intersection, then continuing west across the Little Muddy River near CR 6 where a new bridge would be constructed. Refer to Exhibit 14, Bridge Layouts (Sheet 2). The existing CR 6 bridge would be removed. Alternative H would connect with existing CR 6 until the intersection with US 2/85. The total length of the Alternative H would be approximately 9.0 miles. Refer to Exhibits 3, 4 and 5, Alternative H Location Map, Waterbody Crossings, and Site Detail Map, respectively.

The year to start project construction is to be determined, but would likely occur in no more than two construction seasons. Construction seasons would occur between late March and early November depending on weather and site conditions. The construction start date and sequence of project construction is to be determined. The project is currently unfunded.

Programmatic Biological Assessment Project Submittal Package - Page 3

Project Description (attach maps of project):

Alternative H is anticipated to include roadway design elements, new alignment, site preparation, construction, and site restoration as follows:

DESIGN ELEMENTS

• New four-lane roadway construction with controlled access designed to accommodate haul trucks and other large highway vehicles with typical highway speeds of 65 mph.

• 12-ft wide travel lanes to meet AASHTO standards. Refer to Exhibit 15, Typical Section. The finished roadway would consist of a 20-ft wide median, four 12-ft wide driving lanes, and two 8-ft shoulders.

• New roadway construction would include clearing and grubbing, grading, aggregate base, paved surface, bridge construction in accordance with NDDOT Design Guidelines (Design Guidelines), and drainage improvements.

• A new intersection at ND 1804 to connect the NE TRR. The intersection connection would require vehicles that desire to use the NE TRR to turn off the highway, while through traffic would have direct access to Williston.

• Access along the TRR corridor would be controlled with a goal of approximately one access point per side per mile. Approaches would be considered where existing roadways intersect the TRR.

• Waterbody crossings would be incorporated where needed. These crossings would be designed for the needs of each crossing. The existing CR 6 bridge crossing would be removed after the new roadway is opened. A new crossing in a new location would be constructed over the Little Muddy River.

• A grade-separated crossing will be required at the Burlington Northern Santa Fe Railroad crossing. Refer to Exhibits 4 and 14, Waterbody Crossings and Bridge Layouts, respectively.

ALIGNMENT

• Corridor to accommodate a four-lane roadway. Refer to Exhibit 15, Typical Section.

• New roadway alignment through primarily rural and largely undeveloped areas. Refer to Exhibit 6, Land Cover.

• Right-of-Way (ROW) acquisition to accommodate a four-lane roadway, approximately 400-foot wide corridor, with additional width required in deep cut/fill sections.

• Additional ROW would be required at access locations and may require the realignment of some roadways.

SITE PREPARATION

• Construction will begin in early spring with the first work items being installation of traffic controls and erosion control devices. Erosion control devices will be installed, maintained, upgraded, and removed as needed before, throughout, and after roadway construction.

• The site will be cleared, grubbed, and have topsoil removed and stockpiled to begin excavation and embankment construction. Due to the length of the project (9 miles), site clearing may be done in stages as the work progresses. While there are tree removals, there is no suitable habitat (dense forested/wooded areas) for the northern long-eared bat that would be impacted.

• Aggregate, staging area or plant site, borrow, stockpile areas, rock/rip-rap, and waste sites would be permitted through the NDDOT Material Source Approval process.

• A Storm Water Pollution Prevention Plan (SWPPP) and associated best management practices will be implemented throughout the project which will reduce temporary effects of roadway construction to water quality.

CONSTRUCTION

• Excavation and embankment operations will begin in early spring and continue into fall. Drainage features (culverts) would be installed as necessary.

• After excavation and embankment operations are completed, the subgrade would be graded and compacted. The compacted road bed would be surfaced/paved with a 8" dense cement treated base and 8" of hot mix asphalt (HMA).

• Existing intersecting roads may be closed and detours provided if necessary during construction. Temporary road widenings would be utilized where existing roadways are used. Provisions will be made for vehicles to cross the project during construction. No temporary bypasses would be required. Due to rural setting of most intersection locations, road closures would result in minimal impact to traffic.

Continued on next page -

Project Description Continued:

• At this time in the project development, it has not been determined whether or not overhead utilities would be adjusted for the new roadway. It is assumed that utilities will be required to be moved. Refer to Exhibits 7, 8 and 16, Utilities, Alternative H Overhead Utilities, and Overhead Utilities Crossing Potential Williston Northeast TRR Alternative Detail, respectively. The NDDOT Utility Engineer or consultant will request that the utility company install line markers (bird diverters) at a 1:1 ratio (per linear foot) on overhead utility lines to be raised, lowered, and/or moved to reduce the risk of flight collisions. The utility company will determine the type, number and placement/spacing of the line markers and may conclude that the placement of line markers is not feasible in certain situations.

• Equipment for the work may include but are not limited to bulldozers, scrapers, motor graders, backhoes, trucks, asphalt pavers, and rollers. A crane would be used to accomplish the structural work involving bridges.

• Roadway appurtenances would be installed as necessary during or after roadway finishing including roadway striping, pavement marking, signage, signals and lighting, and rumble strips.

SITE RESTORATION

• Once the roadway has been surfaced and other features installed, additional work items will be performed to complete the newly constructed roadway. These items include placing/shaping topsoil, establishing/seeding vegetation, installation/removal of permanent and temporary erosion/sediment control, and landscaping/tree plantings (if required). Tree replacement on private property would be negotiated with the affected landowner. Trees would be replaced on USACE property per permitting requirements.

• The entire disturbed area will be seeded with a NDDOT approved grass seed mixture once all work is complete. If all work cannot be completed by fall, a temporary seed mix will be applied in the fall with a permanent seeding in the following spring.

• To offset wetland impacts, onsite wetland mitigation will be incorporated.

BRIDGE WORK FOR NE TRR/CR 6 AND LITTLE MUDDY RIVER BRIDGE

• The existing bridge over the Little Muddy River on CR 6 will be removed and traffic will use a new bridge that will be constructed on the new TRR.

• Earthwork for NE TRR/CR 6 and Little Muddy River Bridge Piers/Abutments. Install Riprap. June 15, Year 1-November, Year 1.

-Earthwork and construction of the abutments will be done outside of the flood pool with typical erosion control measures that could include silt fence and fiber rolls. Construction of the piers would take place during the same time period inside the flood pool at channel edge. Pile driving is expected in order to place the new bridge piers. Cofferdams would be used for construction of the piers. After construction of the substructure is completed, installation of riprap and turf establishment will be completed for permanent erosion control.

• Install the pre-stressed concrete beams and bridge deck. Construction on the new route for CR 6. July, Year 1-July, Year 2.

-False work would be utilized to set rebar and pour the bridge deck. Guardrail will be installed on the Little Muddy Bridge. Widening of CR 6 west of the Little Muddy River and construction on CR 6 junction east of the Little Muddy River would be completed.

• Open CR 6 reroute onto the NE TRR over the Little Muddy River. Remove existing CR 6 Bridge (Br. No. 53-122-27.0) over the Little Muddy River and restore bank. August, Year 1-August, Year 2.

-Traffic on CR 6 will be rerouted and the existing bridge will be closed. Removing the bridge could start after the closure. The bridge removal process is determined by the Contractor. For protection, a working canopy is often installed or removal is phased over winter freeze up. These methods protect the river from debris during deck, beam or guardrail removal. Preferred removal is during winter freeze.

• Remove piers, abutments, pavement and restore banks at existing bridge site. September, Year 1-April 15, Year 2 or June 15, Year 2-September, Year 2.

-Existing piers are in shallow water towards the outside of the Little Muddy River. Removal may be done at low water, frozen conditions or behind a cofferdam. Bridge abutments, approach slabs and pavement would be removed to restore the river bank. Earthwork would be done as needed and could include wetland mitigation. Permanent erosion control would finish stabilization.

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*Cranes will likely be needed during each of these steps. Temporary flat locations will be constructed for the cranes as needed. This will not be in the flood pool. Removal of existing structure shall be done without impacting USACE land.

MISCELLANEOUS

• No box culverts will be worked on as part of this project.

• To comply with fish spawning restrictions, no work would occur within the Little Muddy River from April 15 to June 1.

• Equipment that was last used outside of North Dakota or within a Class I infested waterbody (identified on the North Dakota Game and Fish Department (NDGFD) website) requires an inspection by NDGFD. Proof of compliance will be needed prior to work taking place in the water: (1) the NDGFD inspection report, (2) documented NDGFD correspondence (email or signed letter). If an inspection is not required, no follow up documentation is required.

• Utility companies will be coordinated with during the design process. If pipelines cannot be avoided, measures to address potential impacts will be determined with the utility companies.

• Abandoned mines have been identified near the project corridor (see Exhibit 17). If necessary, the engineering design phase will be used to address roadway construction needs. Northern long-eared bats are known to use abandoned mines, however, there are no known hibernacula for the northern long-eared bat in North Dakota and there is no suitable habitat (dense forested/wooded areas) for the northern long-eared bat that would be impacted.

Programmatic Biological Assessment Project Submittal Package - Page 5

Applicable Conservation Measures:

☑ **CM 1:** The contractor will notify the Project engineer immediately in the event any threatened or endangered species is identified within one mile of the proposed action. The Project engineer will cease all construction activities, establish at least a 0.5 mile avoidance area, and immediately coordinate with the USFWS, FHWA, and NDDOT Environmental and Transportation Services. The contractor will not resume work within the avoidance area until the Project engineer has confirmed with the agencies that work may proceed (either species have left the area or approved minimization measures have been implemented). ***This conservation measure must be used for all projects using the programmatic biological assessment.*** Note- For all projects that use the programmatic biological assessment for Section 7 compliance, a threatened and endangered species poster or pamphlet will be provided on all job sites.

Interior Least Tern / Piping Plover / Rufa Red Knot

☐ **CM 2:** *Construction activities shall be avoided within 0.5 miles of suitable habitat (between Station X and Station X) for the interior least tern and piping plover between the dates of April 15 and August 31. Note– Suitable habitat for the interior least tern includes the Missouri River (including reservoirs) and Yellowstone River Systems. Suitable habitat for the piping plover and rufa red knot include all designated critical habitat for the piping plover and other known nesting areas.*

☐ **CM 3:** If construction occurs during the least tern and piping plover breeding season (April 15 – August 31), an initial field survey will be conducted within suitable habitat located inside a 0.5 mile buffer area of construction activities. The survey will occur two days before beginning construction to identify suitable habitat (e.g. islands, sandbars, or exposed shoreline).

No Habitat Present: If no suitable habitat is identified during the initial survey, surveys will be conducted weekly to identify any new habitat uncovered by the river. End surveys July 15 if no suitable nesting habitat, nesting pairs, or nests have been identified. Construction can resume without surveys on July 16 if it has been determined no active nests are located within 0.6 miles of any construction activities. Note– On alkali lakes and wetlands, if no suitable habitat is identified during the initial visit, weekly surveys would not be required as it would be highly unlikely water levels would fluctuate enough to reveal suitable habitat.

Habitat Present: If suitable habitat has been identified and construction activities will take place within 0.5 miles of the habitat, 2 surveys will be conducted daily:

1) The first survey will be conducted for 2 hours during daylight before starting construction activities for that day.
2) The second survey will be conducted for 1 hour beginning after work has stopped for that day. Construction activities will stop early enough to allow for the survey to be completed no later than 30 minutes after sunset.

If nests, an individual, or pair of birds are detected during surveys, the Engineer will be notified, construction activities will cease, and at least a 0.5 mile avoidance area will be established. The Engineer will contact USFWS, FHWA, and NDDOT ETS Division to determine methods to be implemented to avoid adverse effects to the species. If active nests are discovered construction activities will be prohibited within 0.5 mile of the active nest. Construction activities will not resume within the avoidance area until one of the following has been fulfilled: daily surveys show that the birds have vacated the area, mitigation measures determined by the contacted agencies have been implemented, or September 1 has been reached.

Note: Surveys will be conducted only until July 15 as nest establishment is not anticipated to occur past this date. However, if active nests or individuals/pairs are discovered on July 15 or earlier, surveys must resume until the fate of the nest has been determined (abandoned, destroyed, hatched, fledged), and/or the birds have left the area.

Whooping Crane

☑ **CM 4:** Line markers (bird diverters) will be placed along the segment(s) of overhead utilities to be raised, lowered, and/or moved within 1 mile of whooping crane stopover habitat to reduce the risk of flight collisions.

Pallid Sturgeon

☐ **CM 5:** If environmental conditions vary greatly from the hydro-acoustic noise monitoring study conducted in 2015, additional monitoring may be required to ensure exposure levels do not exceed accumulated and peak threshold levels for the pallid sturgeon and that adverse effects do not occur. The hydro-acoustic noise monitoring study can be found as an appendix in the programmatic biological assessment.

Western Prairie Fringed Orchid

☐ **CM 6:** A survey for western prairie fringed orchids shall be conducted prior to construction for projects occurring within Ransom and Richland Counties that require ground disturbing activities. In order to detect the species, surveys would need to be conducted in late June to mid July. Contact the U.S. Forest Service, Dakota Prairie Grasslands: Sheyenne Ranger District (701-683-4342) for appropriate timing of surveys for a specific year.

Dakota Skipper / Poweshiek Skipperling

☐ **CM 7:** Conduct a vegetation inventory for all areas identified as potential untilled native prairie to be directly impacted by construction activities to determine the presence of Type A or Type B Dakota skipper habitat. Note- these commitments are meant for areas outside of designated critical habitat units. See Dakota skipper critical habitat section for further information on critical habitat areas. Note - If suitable habitat is identified, a presence/absence survey for the Dakota skipper must be conducted by qualified individuals. If Dakota skippers are not detected during surveys, the project may proceed under the PBA, depending on the scope of work activities. If Dakota skippers are detected during surveys, separate consultation would be required.

Northern Long-Eared Bat

In order for this species to be covered under the programmatic biological assessment, the following conservation measures must be used if the project requires tree removals, bridge/box culvert work, structure removals, or night construction.

Lighting

☐ **CM 8:** Direct temporary lighting away from suitable habitat during the active season (April 1—September 30).

Tree Removal

The word “trees” as used in the following conservation measures refers to trees that are suitable habitat for the NLEB (see Section 5.1.11 in the PBA for definition).

☐ **CM 9:** Conduct tree removal activities outside of the active season for the northern long-eared bat (April 1—September 30).

☐ **CM 10:** Ensure tree removal is limited to that specified in project plans. Install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits.

☐ **CM 11:** Do not cut down documented NLEB roosts or trees within 0.25 miles of roosts, or documented foraging habitat during any time of year. Note- North Dakota currently does not have documented NLEB roosts or foraging habitat at this point in time. Should these types of features be identified in the future, this measure may need to be implemented to avoid adverse effects.

Bridges/Box Culverts

☐ **CM 12:** To completely avoid direct effects to roosting bats, perform any bridge repair, retrofit, maintenance, and/or rehabilitation work during the winter hibernation period (October 1—March 31).

See following page for further conservation measures for this species.

Northern Long-Eared Bat Continued

Bridges/Box Culverts Continued

☐ **CM 13:** If construction is planned during the active season, perform a bridge assessment for the presence of bats. See Appendix I of the programmatic biological assessment. If bats are not observed, no further action is required. If bats are observed, see conservation measure below.

The following work activities may be conducted without performing a bridge assessment for the presence of bats:

- Above deck work that does not drill down to the underside of the deck or include percussives (vibrations) or noise levels above general traffic (e.g. road paving, wing-wall work, work above that does not drill down to the underside of the deck).
- Below deck work that is conducted away from roosting bats and does not involve percussives or noise levels above general traffic (e.g., some abutment, beam end, scour, or pier repair).

☐ **CM 14:** If bridge assessment for bats suggests presence of a small number of bats (5), conduct bridge repair, retrofit, maintenance, and/or rehabilitation work (including activity with percussives) outside of pup season (June 1—July 31) and keep light localized in the evening while the bats are feeding, starting one hour after sunset and ending one hour before daylight, excluding the hours between 10 p.m. and midnight. Note– This measure is in regards to day roosts. If a structure is identified as a night roost only, conduct all work on bridge in the day or evening (excluding the hours between 10 p.m. and midnight (peak night roosting hours). Note– If a large number of bats are observed, further action will be required.

Structures

Structures include but are not limited to, rest areas, offices, sheds, outbuildings, and barns.

☐ **CM 15:** Perform structure removal during the winter hibernation period (October 1—March 31).

☐ **CM 16:** If structure cannot be removed during the winter hibernation period, perform an inspection of the structure for signs of bat activity.

Note- If no signs of bat activity/use is observed, structure may be removed at any time. If signs of bat use observed, and

Piping Plover Critical Habitat

☐ **CM 17:** Clearly mark limits of construction within or adjacent to boundaries of designated critical habitat.

☐ **CM 18:** Fueling or staging areas are not to be placed directly adjacent to or within the boundaries of critical habitat.

Dakota Skipper and Poweshiek Skipperling Critical Habitat

☐ **CM 19:** Clearly mark limits of construction within or adjacent to boundaries of designated critical habitat.

☐ **CM 20:** Fueling or staging areas are not to be placed directly adjacent to or within the boundaries of critical habitat.

☐ **CM 21**: For Dakota skipper critical habitat units 5, 6, and 9: any ground disturbing activities prior to June 15—July 15 shall be avoided.

Standard Conservation Measures:

- Disturb the smallest footprint possible.
- Reclaim disturbed areas upon project completion.
- Utilize downcast and/or shielded lighting.
- Implement a Storm Water Pollution Prevention Plan (SWPPP). Employ and maintain erosion control measures (i.e. fiber rolls, straw wattles, erosion mats, silt fence, and/or turbidity barriers, etc.) throughout the duration of a project and until vegetation is established.
- If required, implement a Spill Prevention Control and Countermeasure Plan (SPCC).
- Employ dust control measures.
- Spot-spray herbicides rather than broadcast application on invasive/noxious weeds o *Note- herbicide use is typically not conducted as part of roadway construction projects, but rather as part of routine maintenance operations.*
- In accordance with state and federal laws, properly contain and dispose of any contaminated materials discovered during construction activities.
- Employ mufflers on all combustion engines.
- Properly contain and dispose of garbage/trash generated as a result of construction activities.

Additional Conservation Measures (must be approved by FHWA, NDDOT, and USFWS):

Programmatic Biological Assessment Project Submittal Package - Page 9

Interior Least Tern Affect Determination:

☐ Due to work within 0.5 mile of the Missouri River (including reservoirs) and Yellowstone River systems, this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely. Therefore, the project ***may affect, but is not likely to adversely affect*** the interior least tern.

☑ Although the interior least tern may be present in the counties identified in this project submittal package, there is no suitable habitat for this species within 0.5 mile of the project (i.e. project not located within 0.5 mile of Missouri/Yellowstone River or reservoirs); therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the interior least tern.

☐ **No Effect**—Species not present in the counties identified in this project submittal package.

Whooping Crane Affect Determination:

☑ Due to presence of suitable habitat (cropland/wetland associations) within a half mile of the project, this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely. Therefore, the project ***may affect, but is not likely to adversely affect*** the whooping crane.

☐ Although the whooping crane may be present in the counties identified in this project submittal package, there is no suitable habitat for this species within 0.5 mile of the project (i.e. project location in highly developed or urban area or no cropland/wetland associations) ***or*** the project is localized in a rural area (i.e. stand-alone bridge projects or ITS/signing projects); therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the whooping crane.

*Note– Species may occur throughout the state of North Dakota, but sightings occur primarily in the whooping crane migration corridor. See programmatic biological assessment for map of primary migration corridor.

Black-Footed Ferret Affect Determination:

☐ Due to potential impacts to an active prairie dog colony, the black-footed ferret may be exposed to direct or indirect effects (i.e. habitat loss/fragmentation). With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the black-footed ferret. If black-footed ferrets are discovered or re-introductions occur in the future, separate consultation would be needed if a project occurs within 0.5 mile of a prairie dog town occupied by black-footed ferrets.

☐ Although the black-footed ferret may be present in the counties identified in this project submittal package, there is no suitable habitat for this species (i.e. prairie dog towns 80 acres or larger) within 0.5 mile of the project; therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the black-footed ferret.

☑ **No Effect**—Species not present in counties identified in this project submittal package.

Pallid Sturgeon Affect Determination:

☐ Due to in-water work within the Missouri River (including reservoirs) and Yellowstone River systems (or direct tributary within 0.5 mile of these systems) this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the pallid sturgeon.

☑ Although the pallid sturgeon may be present in the counties identified in this project submittal package, the project would not require in-water work within the Missouri River (including reservoirs) and Yellowstone River systems (or direct tributary within 0.5 mile of these systems); therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the pallid sturgeon.

☐ **No Effect**—Species not present in the counties identified in this project submittal package.

Gray Wolf Affect Determination:

☐ The gray wolf may be found throughout the entire state of North Dakota; however, no known populations exist. The state functions as dispersal habitat between two separate populations and confirmed sightings are rare. The highest quality habitat for this species occurs in the Turtle Mountains and Pembina Gorge areas in northern North Dakota. Since the project occurs in a rural area of North Dakota there is a potential for direct or indirect effects to this species. Given the avoidance habits of gray wolves, wide ranging ability of species, abundance of agriculture land and lack of preferred habitat, any potential adverse effects are highly unlikely. With the implementation of standard conservation measures, including the cease of work activities if a gray wolf was to be observed near a construction site, the project ***may affect, but is not likely to adversely affect*** the gray wolf.

☑ Although the gray wolf may be present in the counties identified in this project submittal package, the project is located in an urban area or is localized in a rural area (stand alone bridge projects or other localized projects such as ITS/signing projects). As a result, the project would have ***no effect*** to the gray wolf.

*Note– Species may occur throughout the state of North Dakota.

Poweshiek Skipperling Affect Determination:

☐ Although currently presumed to be extirpated in North Dakota, due to ground disturbing activities outside of previously disturbed ROW in high quality prairie, this species may be exposed to direct or indirect effects (i.e. habitat loss/degradation, establishment of noxious weeds, etc.). With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the Poweshiek skipperling.

☐ Although the Poweshiek skipperling may be present in the counties identified in this project submittal package, there will be no ground disturbing activities in high quality native prairie; therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the Poweshiek skipperling.

☑ **No Effect**—Species not present in the counties identified in this project submittal package.

Piping Plover Affect Determination:

☐ Due to work within 0.5 mile of designated critical habitat (including Missouri River and reservoirs), or known nesting areas (e.g. Yellowstone River); this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the piping plover.

☑ Although the piping plover may be present in the counties identified in this project submittal package, there is no suitable habitat for this species within 0.5 mile of the project (i.e. project not located within 0.5 mile of designated critical habitat), therefore no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the piping plover.

☐ **No Effect**—Species not present in the counties identified in this project submittal package.

Western Fringed Prairie Orchid Affect Determination:

☐ Due to ground disturbing activities within Ransom and Richland Counties within roadside ditches and native prairie, this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the western fringed prairie orchid.

☐ Although the western fringed prairie orchid may be present in the counties identified in this project submittal package, no ground disturbing activities would occur, and all work activities would remain on the surface of the roadway. As a result, the project would have ***no effect*** to the western fringed prairie orchid.

☑ **No Effect**—Species not present in the counties identified in this project submittal package.

Dakota Skipper Affect Determination:

☐ Due to ground disturbing activities in high quality prairie, this species may be exposed to direct or indirect effects (i.e. habitat loss/degradation, establishment of noxious weeds, etc.). With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the Dakota skipper.

☐ Although the Dakota skipper may be present in the counties identified in this project submittal package, there will be no ground disturbing activities in high quality native prairie; therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the Dakota skipper.

☑ **No Effect**—Species not present in the counties identified in this project submittal package.

Rufa Red Knot Affect Determination:

☐ Due to work within 0.5 mile of the designated critical habitat for the piping plover (including Missouri River and reservoir) or known nesting areas for the piping plover (both species use similar habitats), this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the rufa red knot.

☑ Although the rufa red knot may be present in the counties identified in this project submittal package, there is no suitable habitat for this species within 0.5 mile of the project (i.e. project not located within 0.5 mile of designated critical habitat); therefore, no direct or indirect effects would occur to this species. As a result, the project would have ***no effect*** to the rufa red knot.

☐ **No Effect**—Species not present in the counties identified in this project submittal package.

Northern Long-Eared Bat (NLEB) Affect Determination:

☐ Due to presence of suitable habitat within close proximity to the project and scope of work activities (tree removals, structure work), this species may be exposed to direct or indirect effects. With the implementation of standard and species-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** the NLEB.

☑ Although the NLEB may be present in the counties identified in this project submittal package, the scope of work activities meets one or more of the criteria outlined below. Therefore, there will be ***no effect*** to the northern long-eared bat.

- No suitable habitat is located within 1,000 feet the project (i.e. naturally occurring forested/wooded areas or other treed habitat that directly links to forested/wooded areas). Urban areas are extremely unlikely to contain suitable habitat for this species.
- No tree removals would be required. Tree removals only refers to suitable habitat. Single trees, planted shelterbelts, urban plantings, are typically not suitable habitat unless there are naturally forested/wooded areas in close proximity.
- No structure work would be required (i.e. bridges/box culverts or buildings, barns, sheds, etc.) ***or*** structure work would remain on the surface of the bridge with no potential for drilling down to the underside of the deck and noise/vibrations would be similar to daily traffic ***or*** below deck work that is conducted away from potential roosting area (some abutment, beam end, and scour repair).
- Structure work would be required and suitable habitat is located near the project; however, a survey has been completed for the presence of bats and no indications of bat use (acoustic monitoring, guano accumulations, staining, etc.) were identified.

☐ Suitable habitat for this species is located within or adjacent to the limits of the project and conservation measures cannot be implemented. As a result, the project "may affect" the NLEB. Therefore, the project will use the NLEB 4(d) rule streamlined consultation form to complete section 7 consultation for this species. Examples of situations where this step would be necessary are given below:

- Tree removals (suitable habitat) must occur during the active season (April 1—September 31) and/or bridge/box culvert work in areas of potential habitat (forested/wooded areas) must occur during the active season that could affect bats (i.e. bridge/box culvert replacements, deck work that requires drilling down to the underside of the deck, bridge painting, other types of projects that affect the underside of bridges/box culverts).

*Note– Species may occur throughout the state of North Dakota.

Piping Plover Critical Habitat Affect Determination:

☐ Due to work activities directly adjacent to or within critical habitat unit boundaries, critical habitat may be exposed to direct or indirect effects. With the implementation of standard and habitat-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** piping plover critical habitat. If the primary constituent elements of piping plover critical habitat are adversely affected, separate consultation would be required.

☑ Although designated critical habitat may be present in the counties identified in this project submittal package, the project would not require in-water work within critical habitat or ground disturbing activities directly adjacent to critical habitat (Missouri River (including reservoirs) and Yellowstone River systems and designated alkali lakes/wetlands); therefore, no direct or indirect effects would occur to the habitat. As a result, the project would have ***no effect*** to piping plover designated critical habitat.

☐ **No Effect**—Critical habitat not present in the counties identified in this project submittal package.

Dakota Skipper Critical Habitat Affect Determination:

☐ Due to ground disturbing activities directly adjacent to critical habitat (within 0.6 mile) or within existing ROW within critical habitat unit boundaries, critical habitat may be exposed to direct or indirect effects. With the implementation of standard and habitat-specific conservation measures, adverse effects are highly unlikely. Therefore, the project ***may affect, but is not likely to adversely affect*** Dakota skipper critical habitat. If the primary constituent elements of Dakota skipper critical habitat are adversely affected, separate consultation would be required.

☐ Although Dakota skipper critical habitat is present in the counties identified in this project submittal package, the project is not located adjacent to / within the boundaries of critical habitat ***or*** all work activities would remain on the surface of the roadway through areas of designated critical habitat. As a result, the project would have ***no effect*** to Dakota skipper critical habitat.

☑ **No Effect**—Critical habitat not present in the counties identified in this project submittal package.

Poweshiek Skipperling Critical Habitat Affect Determination:

☐ Due to work activities directly adjacent to critical habitat (within 0.6 mile) or within ROW within critical habitat unit boundaries, critical habitat may be exposed to direct or indirect effects. With the implementation of standard and habitat-specific conservation measures, adverse effects are highly unlikely; therefore, the project ***may affect, but is not likely to adversely affect*** Poweshiek skipperling critical habitat. If the primary constituent elements of Poweshiek skipperling critical habitat are adversely affected, separate consultation would be required.

☐ Although Poweshiek skipperling critical habitat is present in the counties identified in this project submittal package, the project would not require ground disturbing activities within or adjacent to the boundaries of critical habitat. As a result, the project would have ***no effect*** to Poweshiek skipperling critical habitat.

☑ **No Effect**—Critical habitat not present in the counties identified in this project submittal package.

Programmatic Biological Assessment Project Approval Form

Summary of Effect Determinations

Project Number / PCN: SS-7-804(053)900 - PCN 20788

Species / Critical Habitat	No Effect	NLTAA	NLTAA/LAA*	Conservation Measures
Interior Least Tern	✓	☐	N/A	
Whooping Crane	☐	✓	N/A	CM1, CM4
Black-Footed Ferret	✓	☐	N/A	
Pallid Sturgeon	✓	☐	N/A	
Gray Wolf	✓	☐	N/A	
Poweshiek Skipperling	✓	☐	N/A	
Piping Plover	✓	☐	N/A	
Western Prairie Fringed Orchid	✓	☐	N/A	
Dakota Skipper	✓	☐	N/A	
Rufa Red Knot	✓	☐	N/A	
Northern Long-Eared Bat	✓	☐	☐	
Piping Plover Critical Habitat	✓	☐	N/A	
Dakota Skipper Critical Habitat	✓	☐	N/A	
Poweshiek Skipperling Critical Habitat	✓	☐	N/A	

NLTAA—May Affect, Not Likely to Adversely Affect
LAA– May Affect, Likely to Adversely Affect
****Covered Under 4(d) Rule Streamlined Consultation– Note– The 4(d) form must be sent to USFWS.***

The project submittal package (on-file at the NDDOT) has been reviewed for content and it has been determined that the scope of work activities associated with this project fit within the activities and sub-activities described in the deconstruction matrix of the programmatic biological assessment (PBA). The potential effects to listed resources that may occur from this project fit within the effects analysis within the PBA, fieldwork has been conducted (if required), and appropriate conservation measures have been selected. The conservation measures identified in this project submittal package must be included in the plan sheets as either environmental notes or special provisions. Should changes to the scope of work for this project occur, the additional work items will need to be reviewed for potential effects to listed species and critical habitat that may occur near or within the project area and the project submittal package will need to be revaluated. Provided no changes occur to this project, Section 7 Endangered Species Act requirements have been met under the PBA and programmatic concurrence from the USFWS.

Greg Schonert

Digitally signed by Greg Schonert
DN: cn=Greg Schonert, o=NDDOT, ou=ETS, email=gschonert@nd.gov, c=US
Date: 2018.02.13 10:00:40 -06'00'

NDDOT Biologist

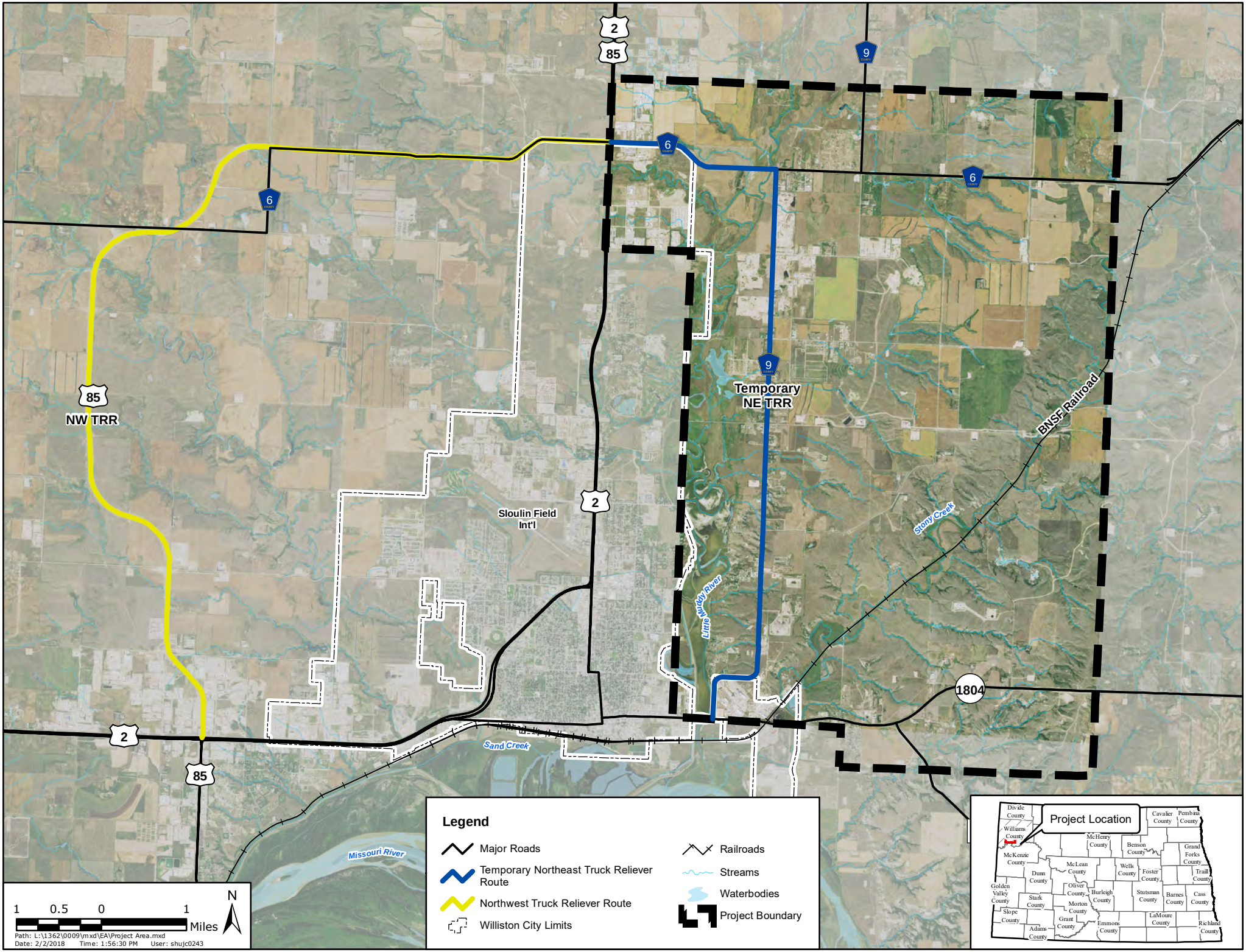
Tables

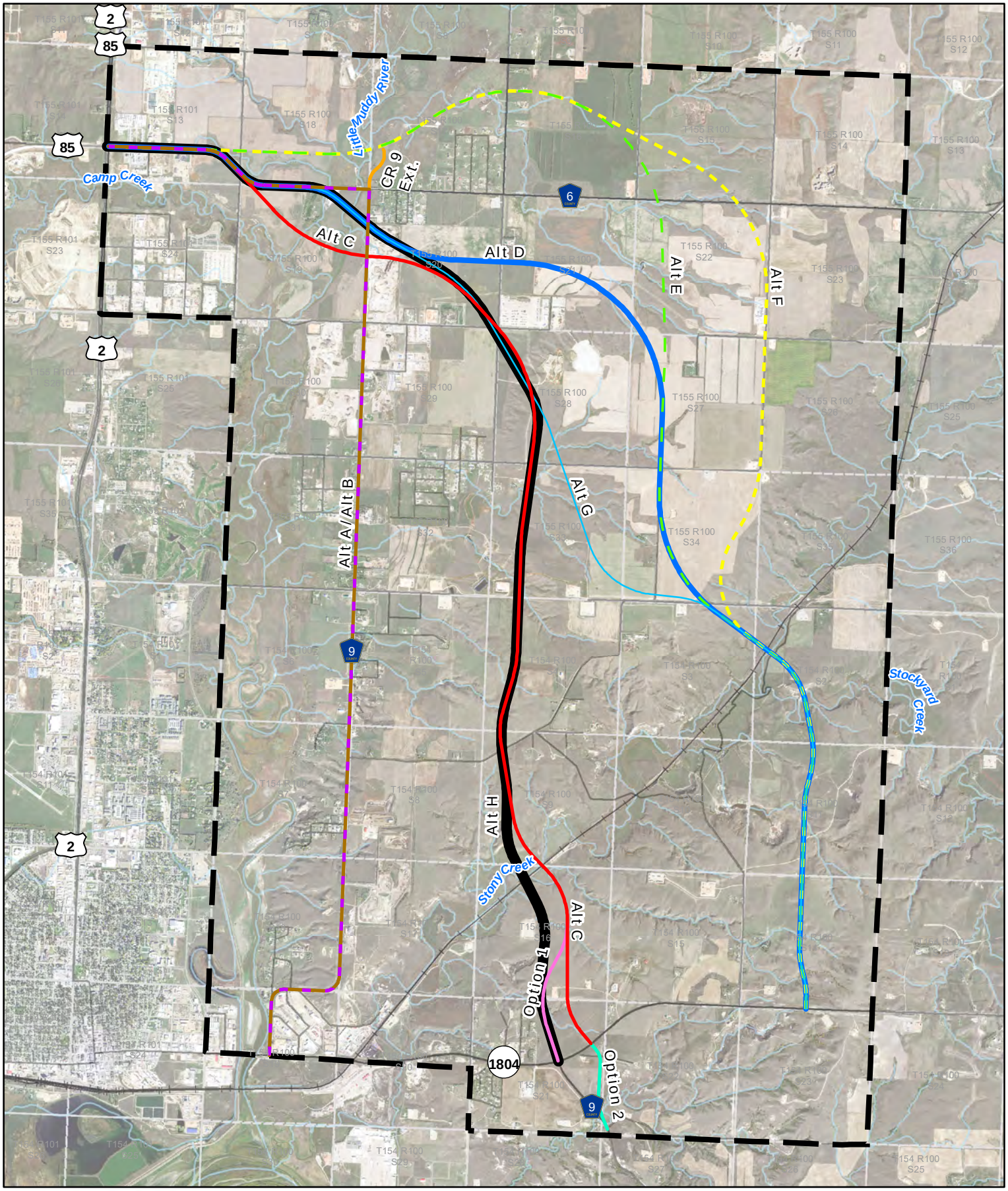
Table 1. Existing and Projected Traffic Volumes

Vehicle Type	Existing AADT (2014) Temporary NE TRR	Projected AADT (2040) No Build Alternative	Projected AADT (2040) Permanent NE TRR
Passenger	3,346	5,226	4,422
Trucks	1,649	2,574	2,178
Total	**4,995**	**7,800**	**6,600**

Source: Williston NE TRR Traffic Operations Report, 2016

Exhibits


2
85
9
6
6
6
9
85
NW TRR
Temporary
NE TRR
BNSF Railroad
Sloulin Field
Int'l
2
Stony Creek
Little Muddy River
1804
2
Sand Creek
85
Missouri River
Legend
Major Roads
Temporary Northeast Truck Reliever Route
Northwest Truck Reliever Route
Williston City Limits
Railroads
Streams
Waterbodies
Project Boundary
1 0.5 0 1
Miles
N
Path: L:\1362\0009\mxd\EA\Project Area.mxd
Date: 2/2/2018 Time: 1:56:30 PM User: shujc0243
Project Location
Divide County
Williams County
McKenzie County
Dunn County
Golden Valley County
Stark County
Slope County
Adams County
McLean County
Oliver County
Morton County
Grant County
McHenry County
Burleigh County
Emmons County
Benson County
Wells County
Foster County
Stutsman County
LaMoure County
Cavalier County
Pembina County
Grand Forks County
Traill County
Barnes County
Cass County
Richland County



NDDOT
North Dakota Department of Transportation

5,000 2,500 0 5,000 Feet

N

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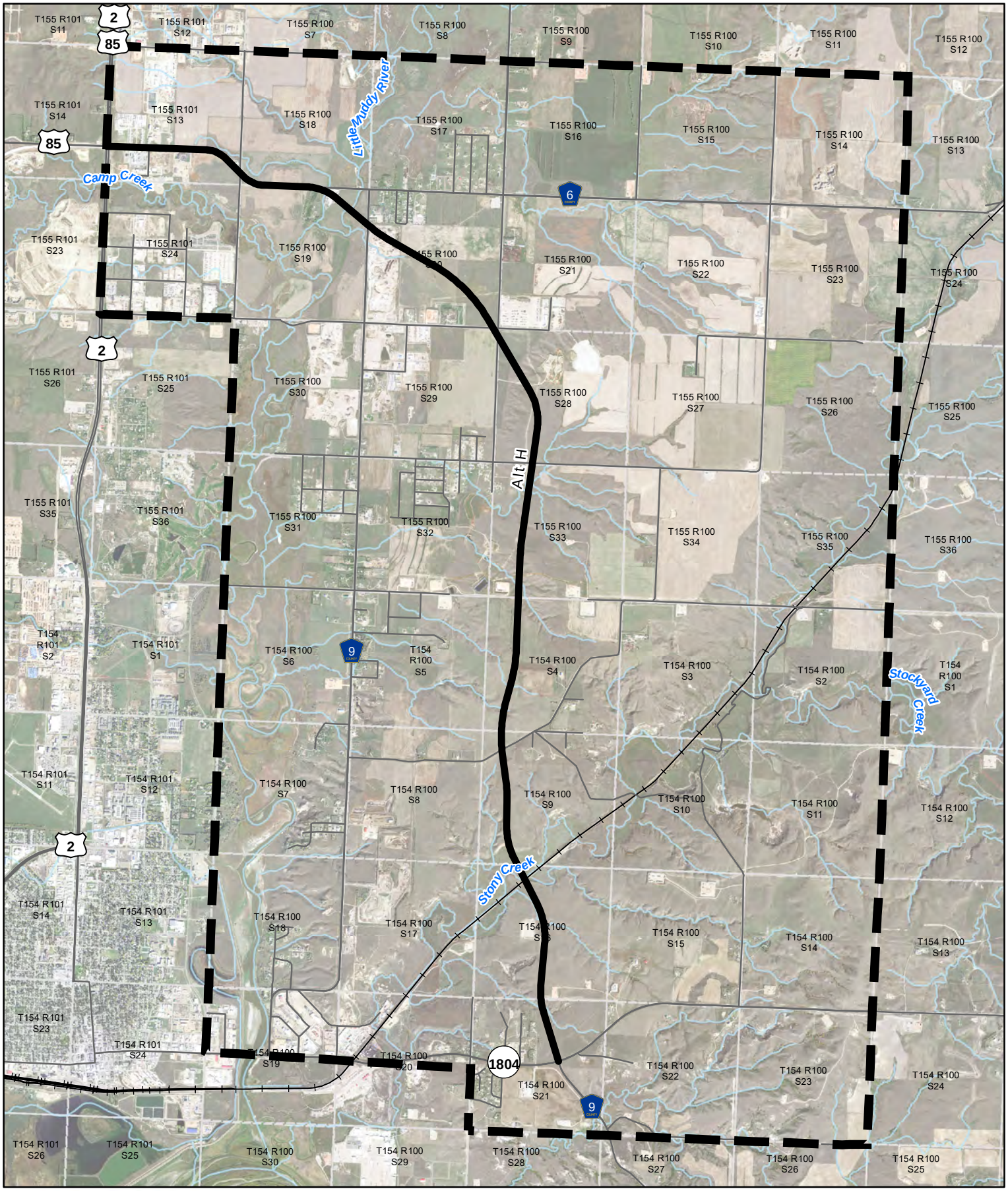
Date: 2/2/2018 Time: 2:02:08 PM User: shujc0243

Project Boundary (APE)
Alternative A-No Build
Alternative B
Alternative C
Alternative D
Alternative E
Alternative F
Alternative G
Alternative H
CR 9 Extension
Option 1
Option 2
Streams
Roads
BNSF Railroad
Section Boundary



NDDOT
North Dakota Department of Transportation

5,000 2,500 0 5,000 Feet

N

Alternative H
Project Boundary (APE)
Streams
Roads
BNSF Railroad
Section Boundary

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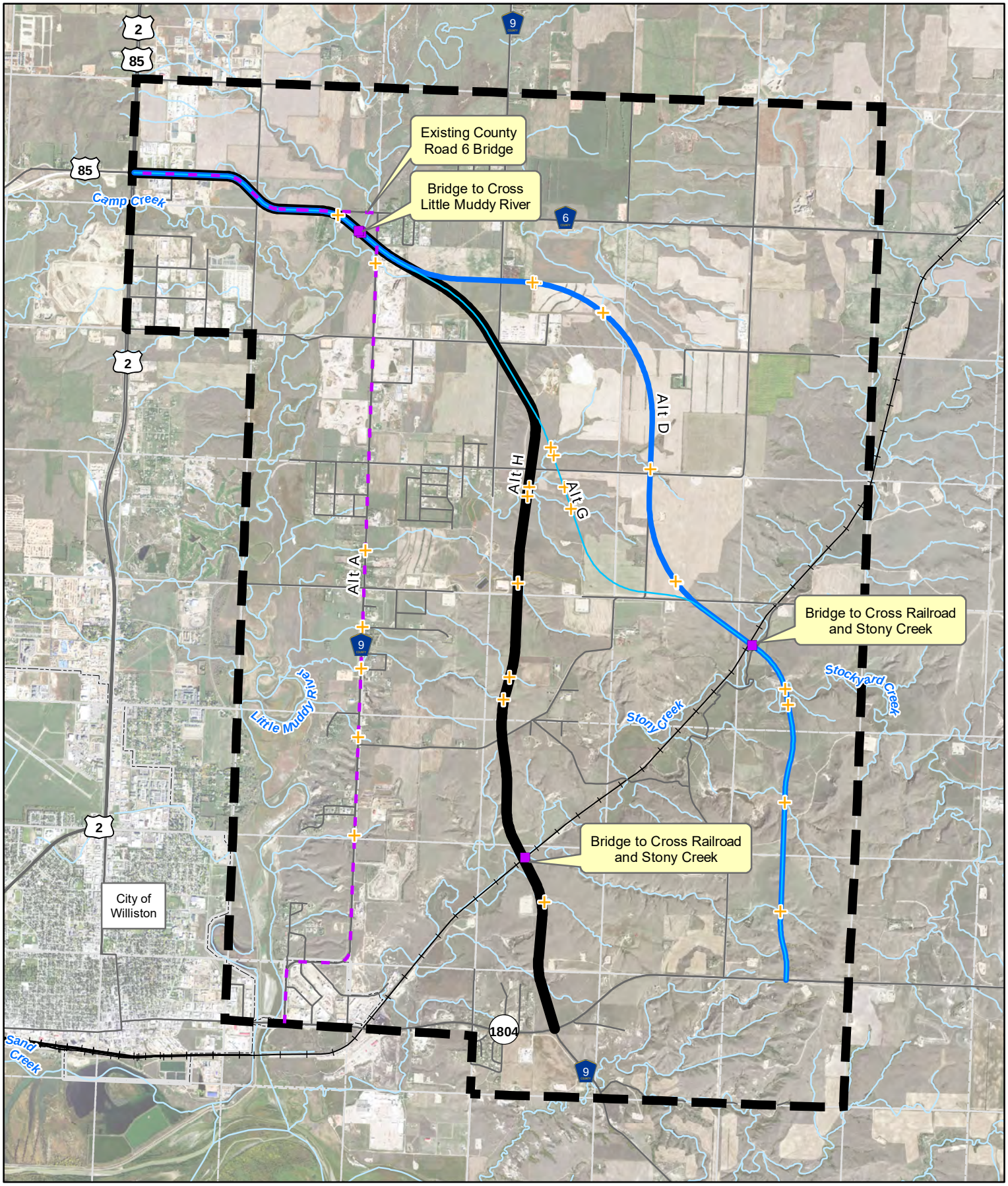


NDDOT
North Dakota Department of Transportation

5,000 2,500 0 5,000 Feet

N

Path: L:\1362\0009\mxd\EA\WaterbodyCrossings.mxd
Date: 2/2/2018 Time: 3:18:53 PM User: shujc0243

Project Boundary (APE)

Waterbody Crossings

Bridge

Culvert

Alternative A-No Build

Alternative D

Alternative G

Alternative H

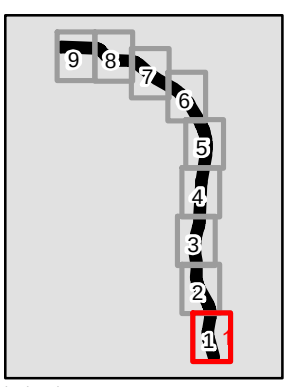
Roads

BNSF Railroad

Streams

City Boundary

Section Boundary



Legend

- BNSF Railroad
- Streams (USGS NHD)
- Alternative H
- PLSS Section Boundary
- Roads

450 225 0 450 Feet

N

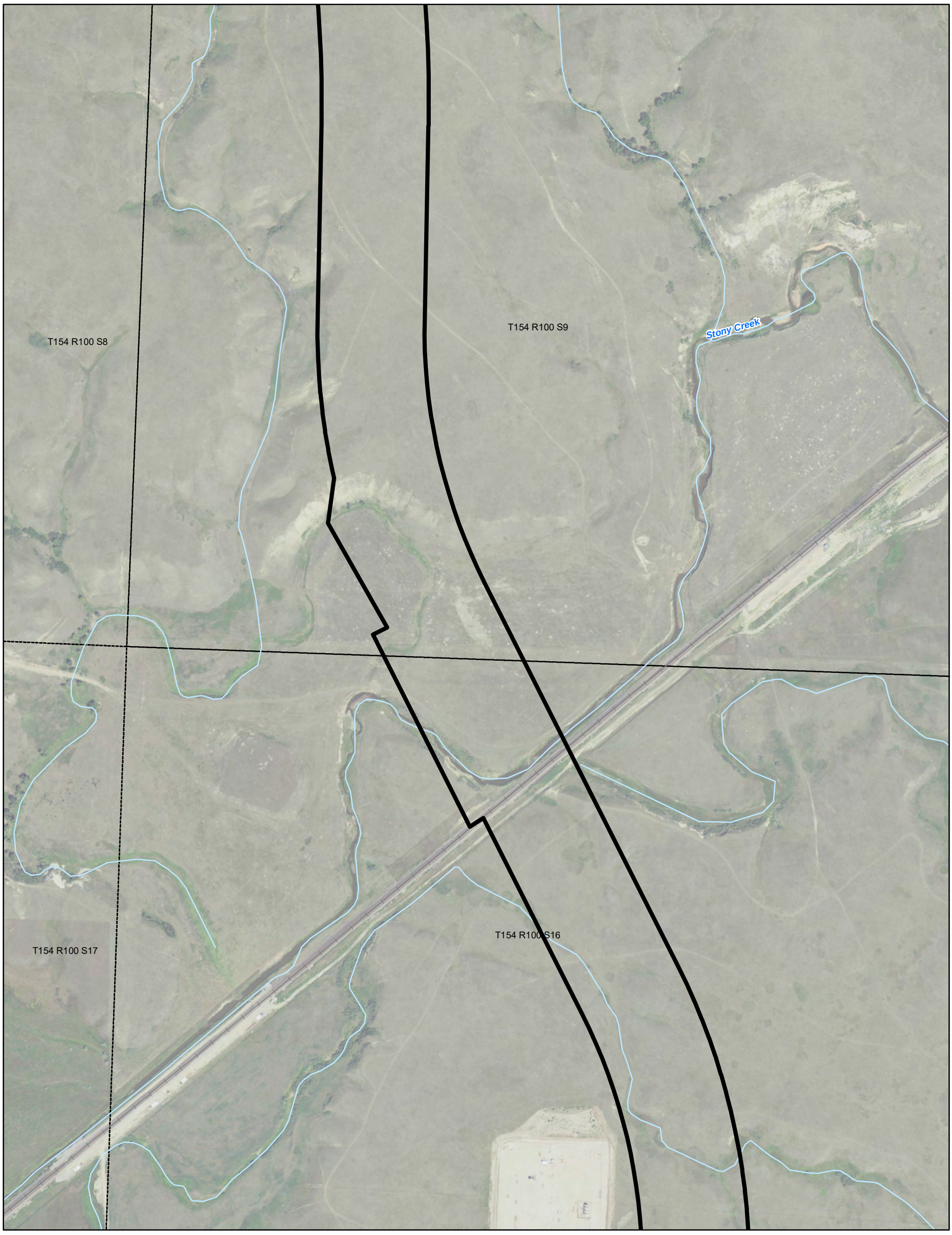
Drawn by: JCS
Date: 01-03-18

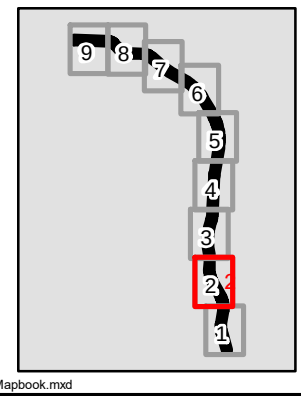
Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (1 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (1 of 9)		Exhibit 5





Legend

- BNSF Railroad
- Alternative H
- Roads
- Streams (USGS NHD)
- PLSS Section Boundary

450 225 0 450 Feet

N

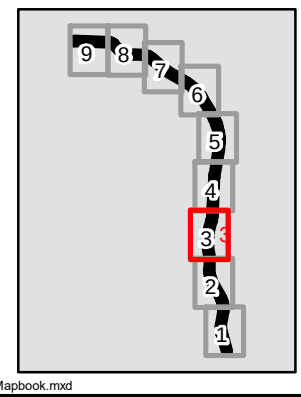
Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (2 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (2 of 9)		Exhibit 5



Legend

- BNSF Railroad
- Streams (USGS NHD)
- Alternative H
- PLSS Section Boundary
- Roads

450 225 0 450 Feet

N

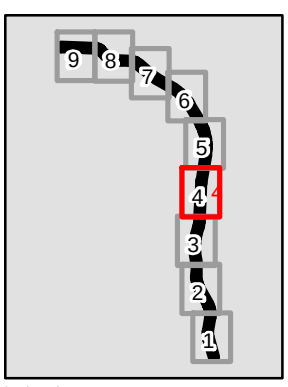
Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (3 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (3 of 9)		Exhibit 5



Legend

- BNSF Railroad
- Streams (USGS NHD)
- Alternative H
- PLSS Section Boundary
- Roads

450 225 0 450 Feet

N

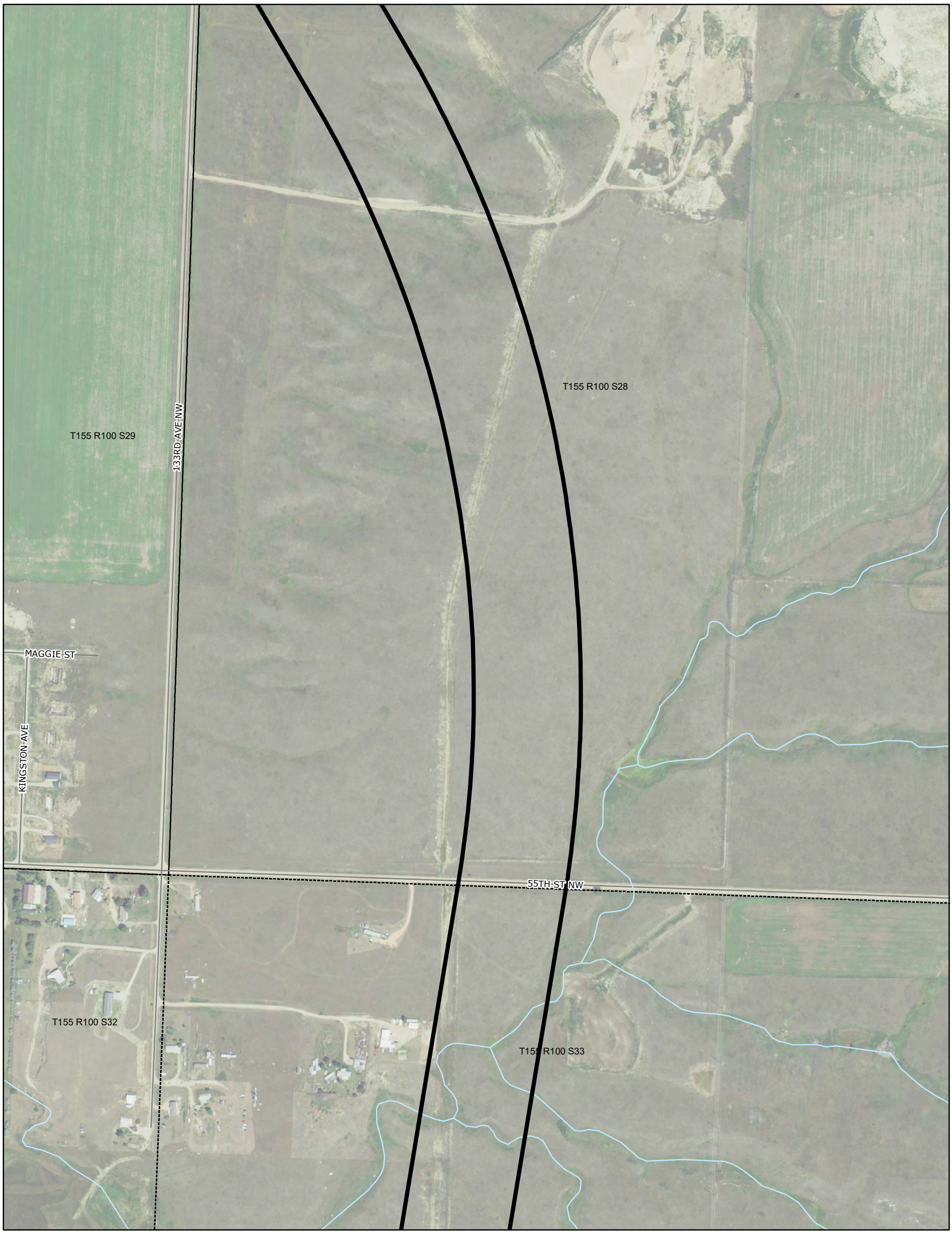
Drawn by: JCS
Date: 01-03-18

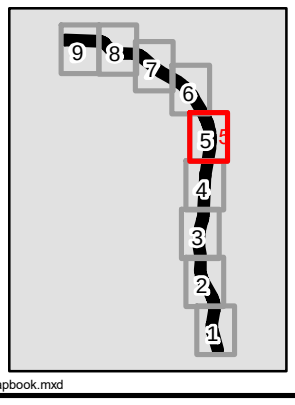
Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (4 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (4 of 9)		Exhibit 5





Legend

- BNSF Railroad
- Alternative H
- Roads
- Streams (USGS NHD)
- PLSS Section Boundary

450 225 0 450 Feet

N

Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (5 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (5 of 9)		Exhibit 5

T155 R100 S20

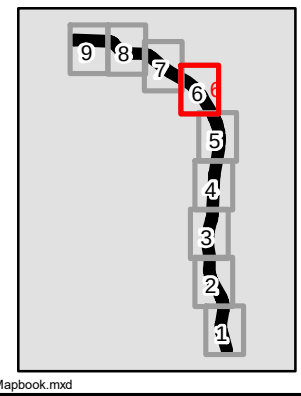
133RD AVE NW

T155 R100 S21

56TH ST NW

T155 R100 S29

T155 R100 S28



Legend

- BNSF Railroad
- Alternative H
- Roads
- Streams (USGS NHD)
- PLSS Section Boundary

450 225 0 450 Feet

N

Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (6 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (6 of 9)		Exhibit 5

T155 R100 S18

T155 R100 S17

Existing CR 6 Bridge

CR 6

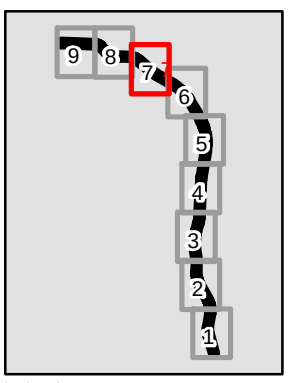
CAROLVILLE LP

Little Muddy River

T155 R100 S19

T155 R100 S20

CR 9



Legend

- BNSF Railroad
- Streams (USGS NHD)
- Alternative H
- PLSS Section Boundary
- Roads

450 225 0 450 Feet

N

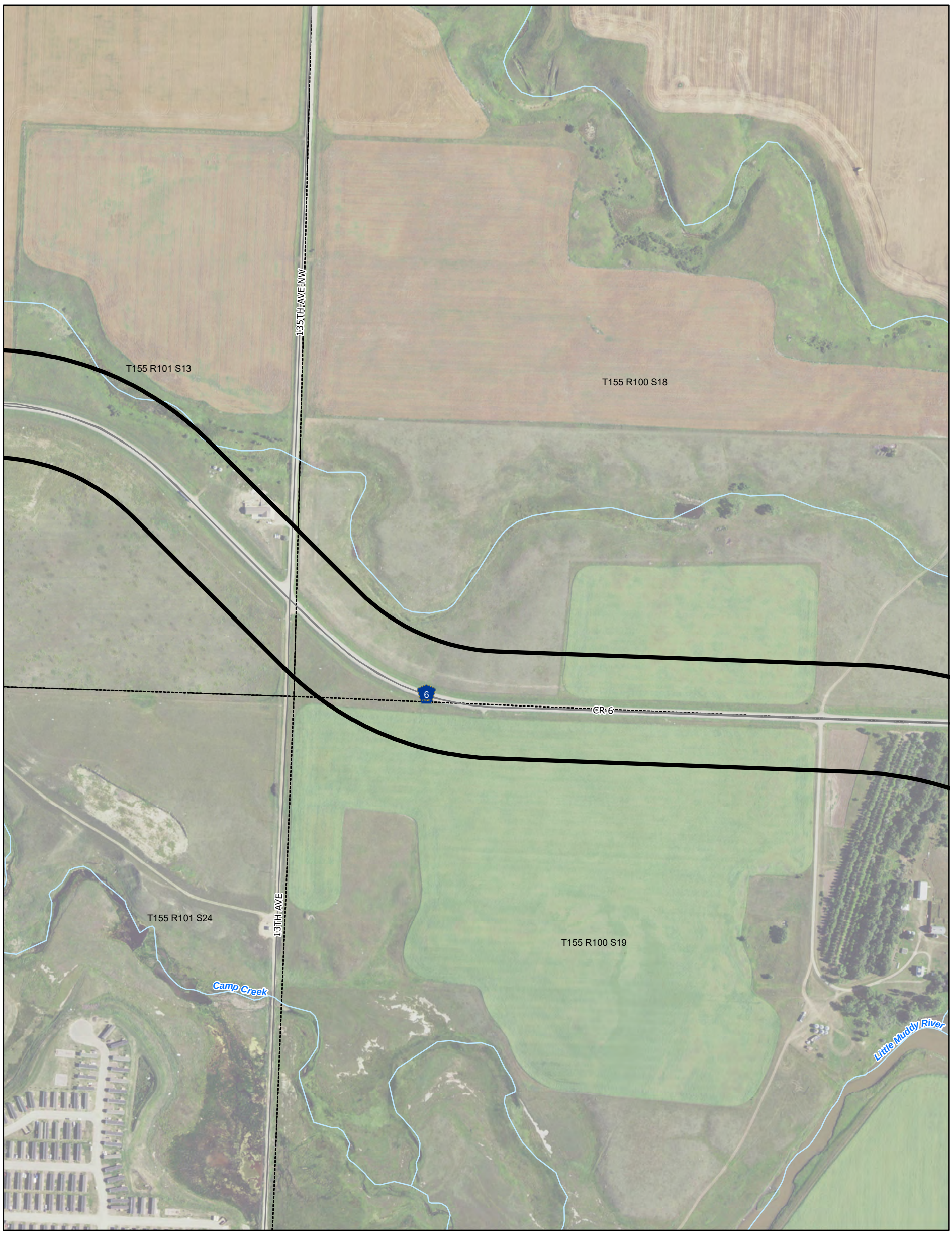
Drawn by: JCS
Date: 01-03-18

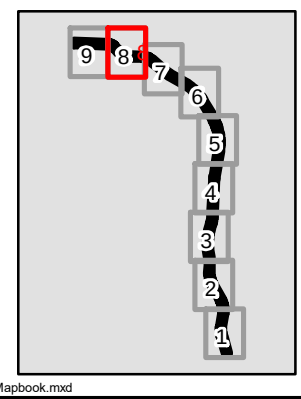
Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (7 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (7 of 9)		Exhibit 5





Legend

- BNSF Railroad
- Streams (USGS NHD)
- Alternative H
- PLSS Section Boundary
- Roads

450 225 0 450 Feet

N

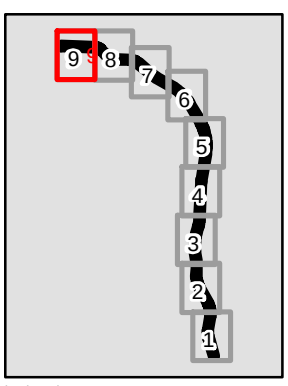
Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (8 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (8 of 9)		Exhibit 5



Legend

- BNSF Railroad
- Streams (USGS NHD)
- Alternative H
- PLSS Section Boundary
- Roads

450 225 0 450 Feet

N

Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Site Detail Map (9 of 9)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Site Detail Alt H Mapbook.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Site Detail Map (9 of 9)		Exhibit 5

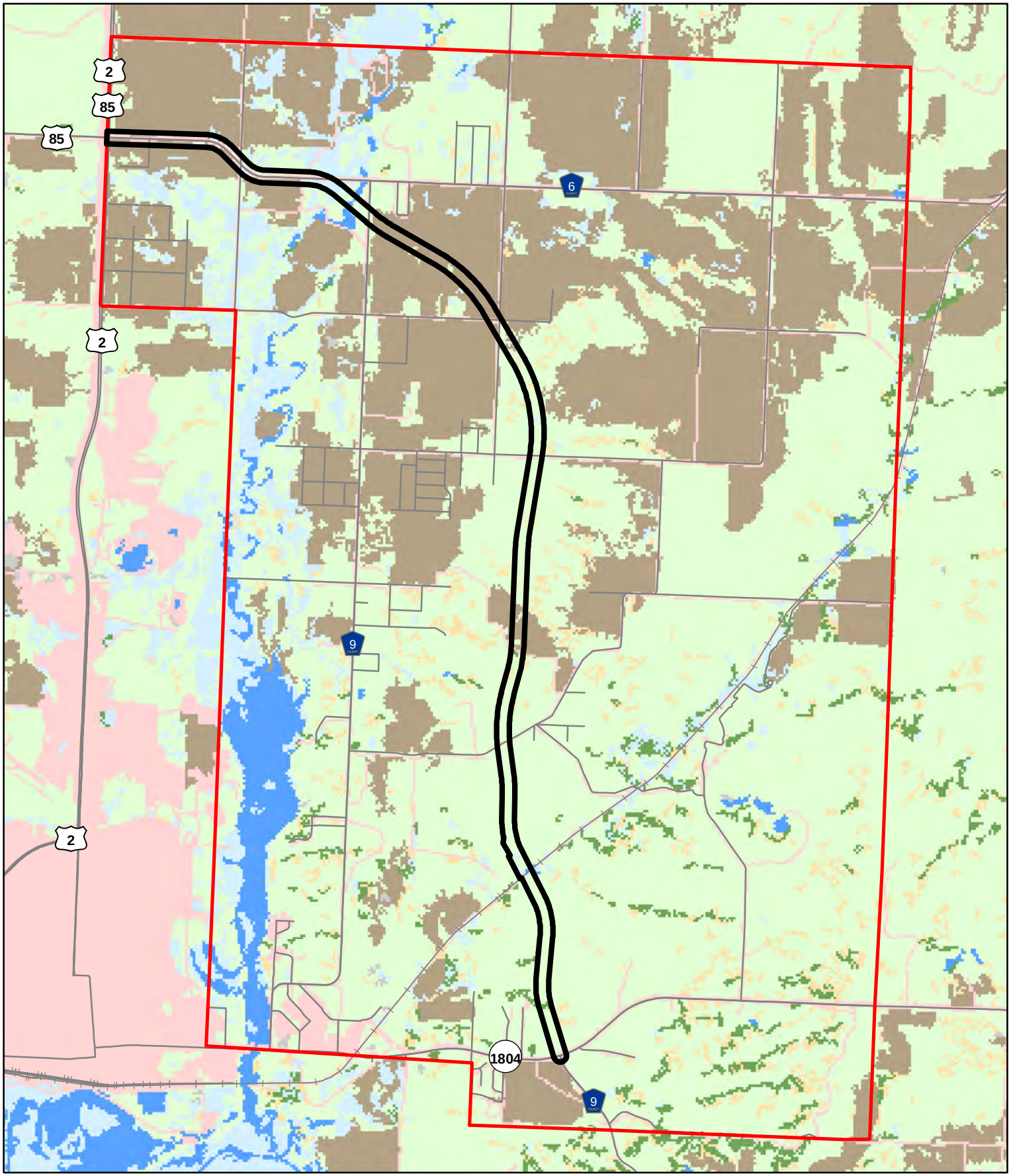


Exhibit 6 - Land Cover

NDDOT
North Dakota
Department of Transportation

5,000 2,500 0 5,000
Feet

N

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Date: 2/2/2018 Time: 2:09:31 PM User: shujc0243

Project Boundary (APE)
Alternative H
2011 NLCD
Crops
Developed
Barren Land
Forest
Shrub/Scrub
Grassland/Pasture
Wetlands
Open Water

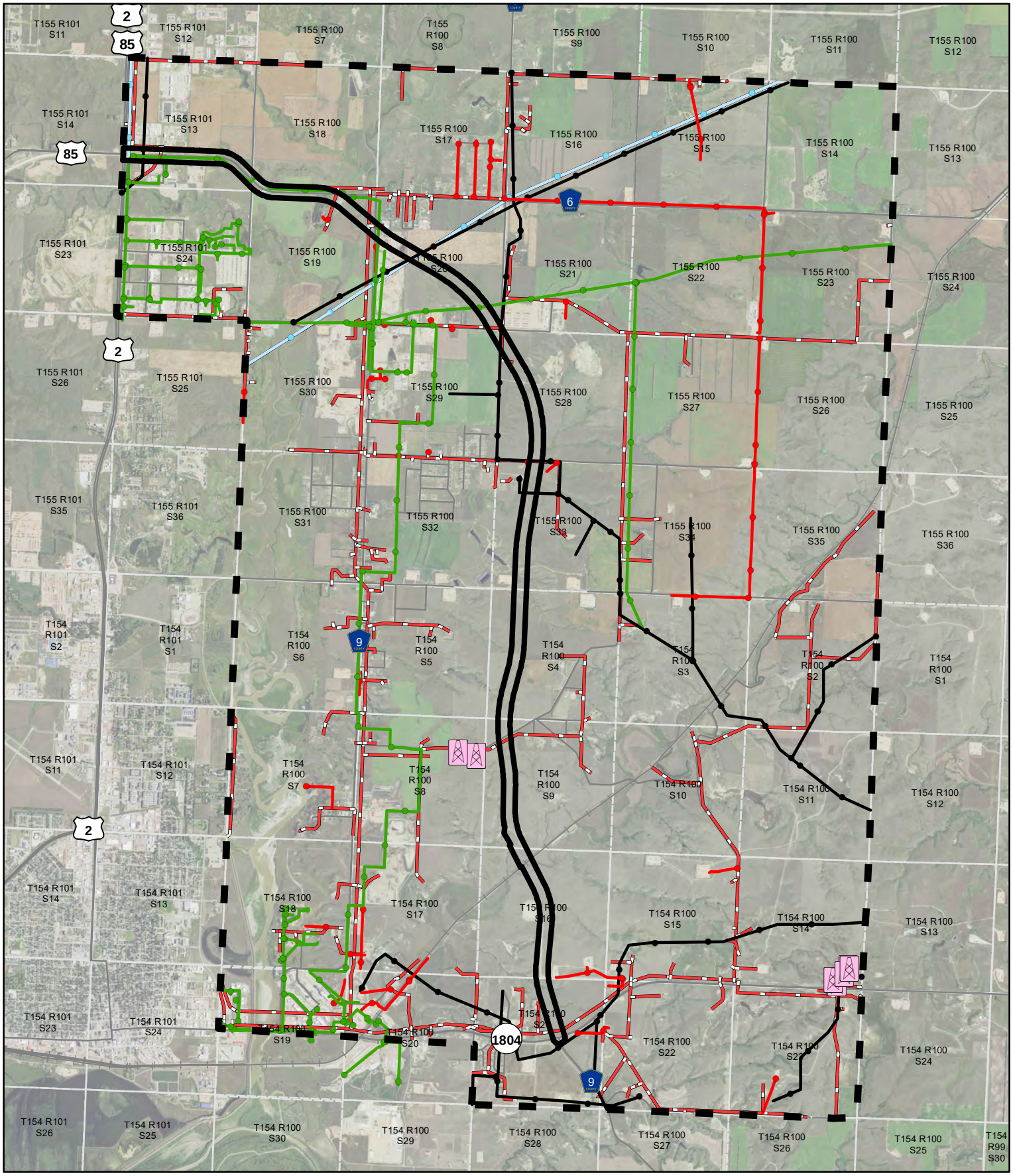


Exhibit 7 - Utilities

NDDOT
North Dakota Department of Transportation

N

5,000 2,500 0 5,000 Feet

Path: L:\1362\0009\mxd\BA\Utilities.mxd
Date: 2/2/2018 Time: 2:17:53 PM User: shujc0243

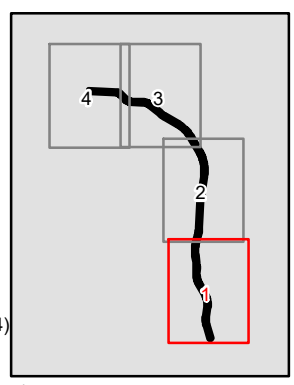
Legend

- Project Boundary (APE)
- Section Boundary
- BNSF Railroad
- Roads
- Alternative H
- MDU (Overhead)

Electric & Gas Utilities

- Other
- Electric
- Gas
- Overhead
- Communications Tower

T154 R100 S5
T154 R100 S4
T154 R100 S3
53RD LN NW
53RD ST NW
53RD RD NW
T154 R100 S8
T154 R100 S9
52Z RD NW
T154 R100 S10
Stony Creek
T154 R100 S16
T154 R100 S15
T154 R100 S17
T154 R100 S20
133RD AVE NW
132 LN NW
SUNRISE DR NW
T154 R100 S21
T154 R100 S22
50TH LN NW
HWY 1804
1804
CR 9
132ND TRL NW
37TH AVE



Legend

- Alternative H
- 1 Mile Radius
- Roads
- BNSF Railroad
- Overhead Utilties
- Field Delineation - Wetland
- Field Delineation - Other Water
- Office Delineation - Other Water
- Office Delineation - Wetland
- PLSS Section Boundary
- Communications Tower
- Streams (USGS NHD)
- NWI

1,200 600 0 1,200 Feet

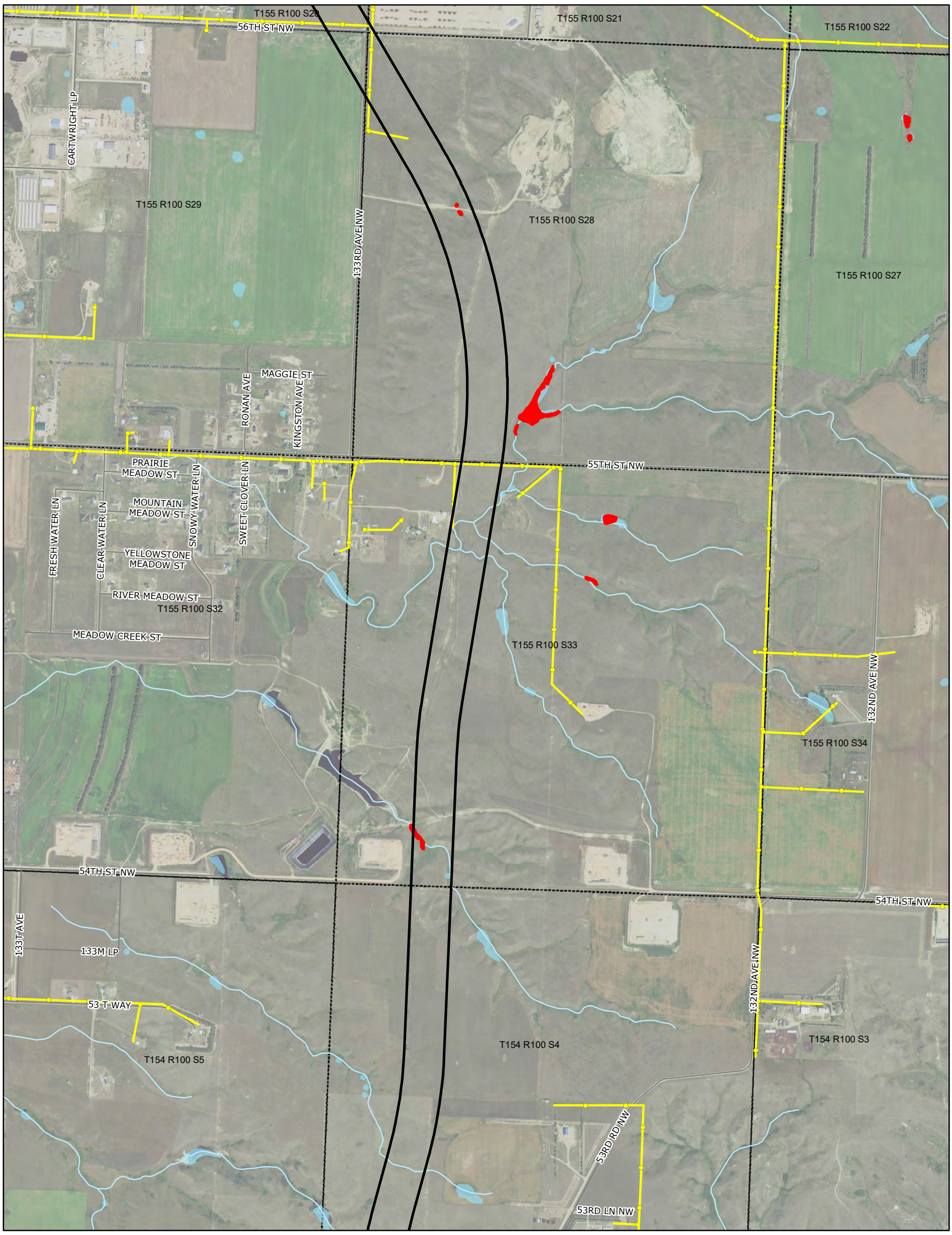
N

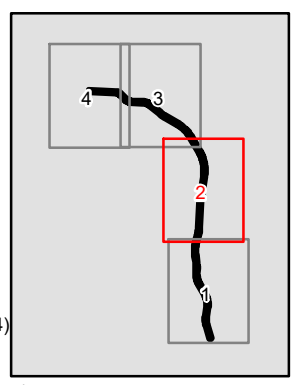
Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Alternative H Overhead Utilites (1 of 4)
2016 Aerial Photograph
(Source: FSA)
Path: L:\1362\0009\mxd\BA\Overhead Utilities_Alt H MB.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Alternative H Overhead Utilites (1 of 4)		EXHIBIT 8





Legend

- Alternative H
- 1 Mile Radius
- Roads
- BNSF Railroad
- Overhead Utilties
- Field Delineation - Wetland
- Field Delineation - Other Water
- Office Delineation - Other Water
- Office Delineation - Wetland
- PLSS Section Boundary
- Communications Tower
- Streams (USGS NHD)
- NWI

1,200 600 0 1,200 Feet

N

Drawn by: JCS
Date: 01-03-18

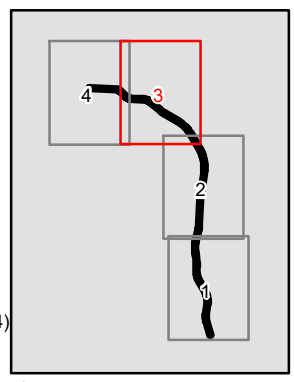
Project ID: SS-7-804(053)900

PCN: 20788
Alternative H Overhead Utilites (2 of 4)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Overhead Utilities_Alt H MB.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Alternative H Overhead Utilites (2 of 4)		EXHIBIT 8

T155 R101 S12
T155 R100 S7
T155 R100 S8
T155 R100 S9
58TH ST NW
58TH ST NW
T155 R101 S13
135TH AVE NW
T155 R100 S18
T155 R100 S17
CR 9
T155 R100 S16
INDEPENDENCE ST
PATRIOT LN
LIBERTY LN
FREEDOM LN
T155 R101 S24
CR 6
CAROLVILLE LP
Camp Creek
Little Muddy River
131TH AVE
T155 R100 S19
CR 9
T155 R100 S20
133RD AVE NW
T155 R100 S21
84TH ST
56TH ST NW
T155 R101 S25
T155 R100 S30
CARTWRIGHT LP
T155 R100 S29
T155 R100 S28



Legend

- Alternative H
- 1 Mile Radius
- Roads
- BNSF Railroad
- Overhead Utilties
- Field Delineation - Wetland
- Field Delineation - Other Water
- Office Delineation - Other Water
- Office Delineation - Wetland
- PLSS Section Boundary
- Communications Tower
- Streams (USGS NHD)
- NWI

1,200 600 0 1,200 Feet

N

Drawn by: JCS
Date: 01-03-18

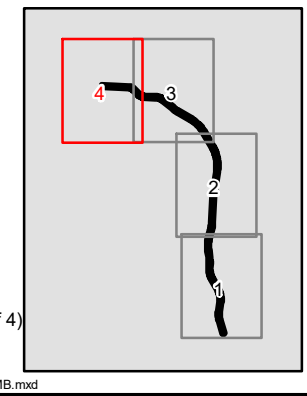
Project ID: SS-7-804(053)900

PCN: 20788
Alternative H Overhead Utilites (3 of 4)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Overhead Utilities_Alt H MB.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Alternative H Overhead Utilites (3 of 4)		EXHIBIT 8

T155 R101 S10
T155 R101 S11
T155 R101 S12
T155 R100 S7
T155 R101 S15
58TH ST NW
T155 R101 S14
T155 R101 S13
135TH AVE NW
T155 R100 S18
2
85
6
LOVES WAY
DEPOT LN
T155 R101 S22
TANDE LN
Camp Creek
T155 R101 S23
T155 R101 S24
ENERGY ST
13TH AVE
US Route 2
DERRICK AVE
OIL AVE
WELL ST
T155 R100 S19
T155 R101 S27
84TH ST
T155 R101 S26
T155 R101 S25
T155 R100 S30



Legend

- Alternative H
- 1 Mile Radius
- Roads
- BNSF Railroad
- Overhead Utilties
- Field Delineation - Wetland
- Field Delineation - Other Water
- Office Delineation - Other Water
- Office Delineation - Wetland
- PLSS Section Boundary
- Communications Tower
- Streams (USGS NHD)
- NWI

1,200 600 0 1,200 Feet

N

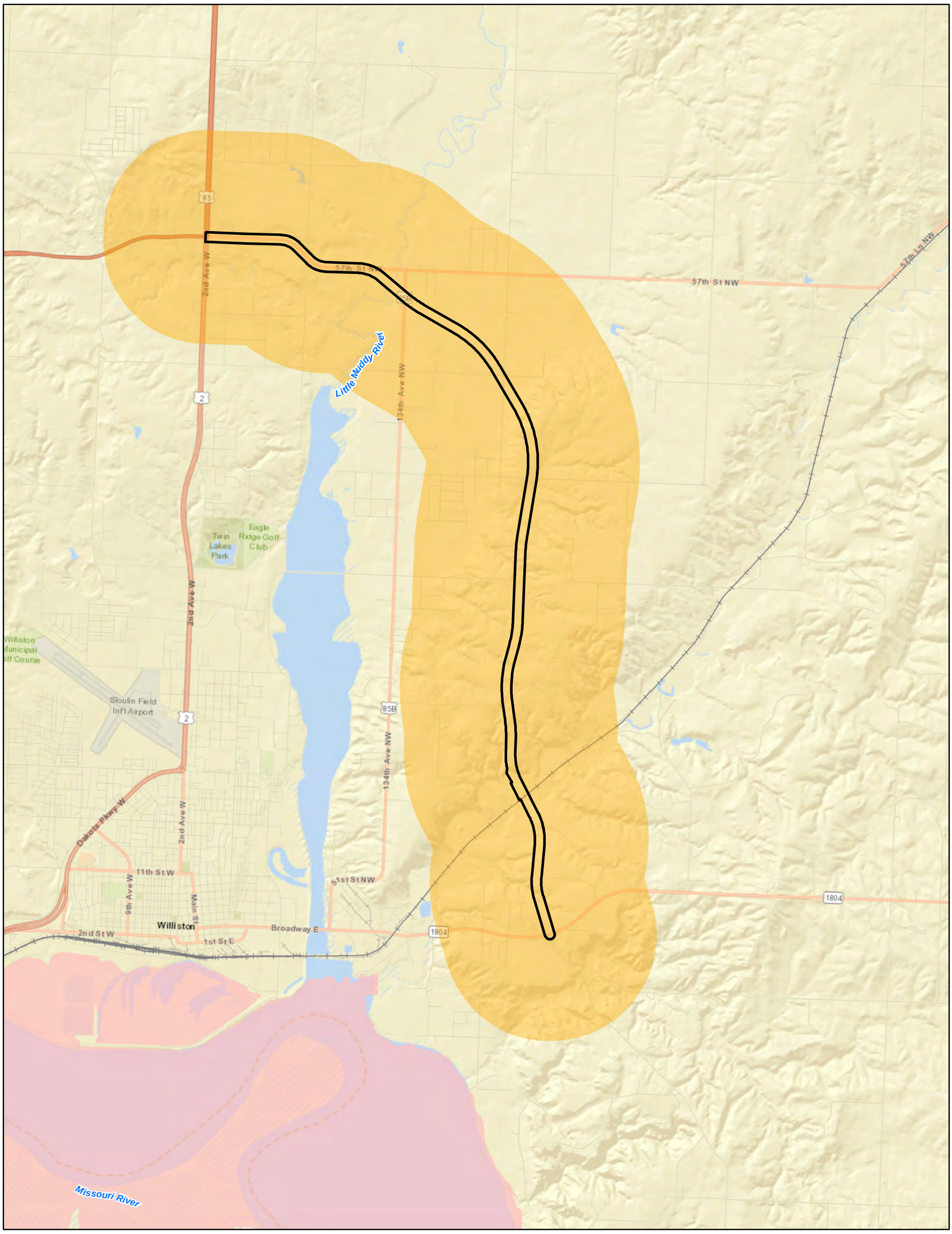
Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

PCN: 20788
Alternative H Overhead Utilites (4 of 4)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Overhead Utilities_Alt H MB.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Alternative H Overhead Utilites (4 of 4)		EXHIBIT 8



Legend

- Alternative H
- 1 Mile Radius from Alternatives
- Piping Plover Critical Habitat

5,000 2,500 0 5,000 Feet

N

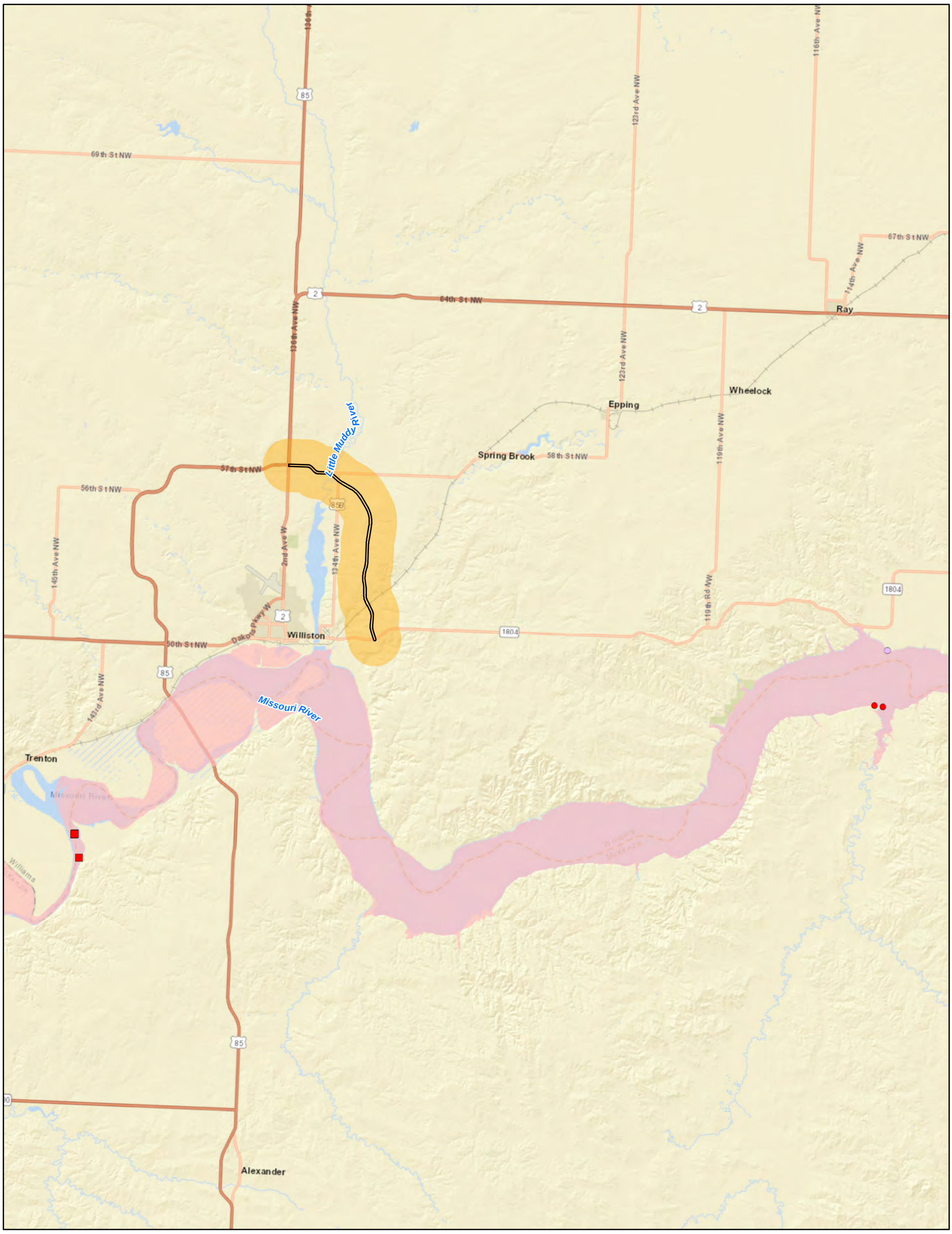
Drawn by: JCS
Date:01-03-18

Project ID: SS-7-804(053)900

PCN: 20788

Path: L:\1362\0009\mxd\BA\PP Critical Habitat.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Project Proximity to Piping Plover Critical Habitat		Exhibit 9



Legend

- Alternative H
- Piping Plover Critical Habitat

2015 Nest Locations

- Interior Least Tern
- Piping Plover
- 1 Mile Radius from Alternatives

2012 Nest Locations

- Interior Least Tern
- Piping Plover
- No nests in current view for 2011, 2013, 2014

Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

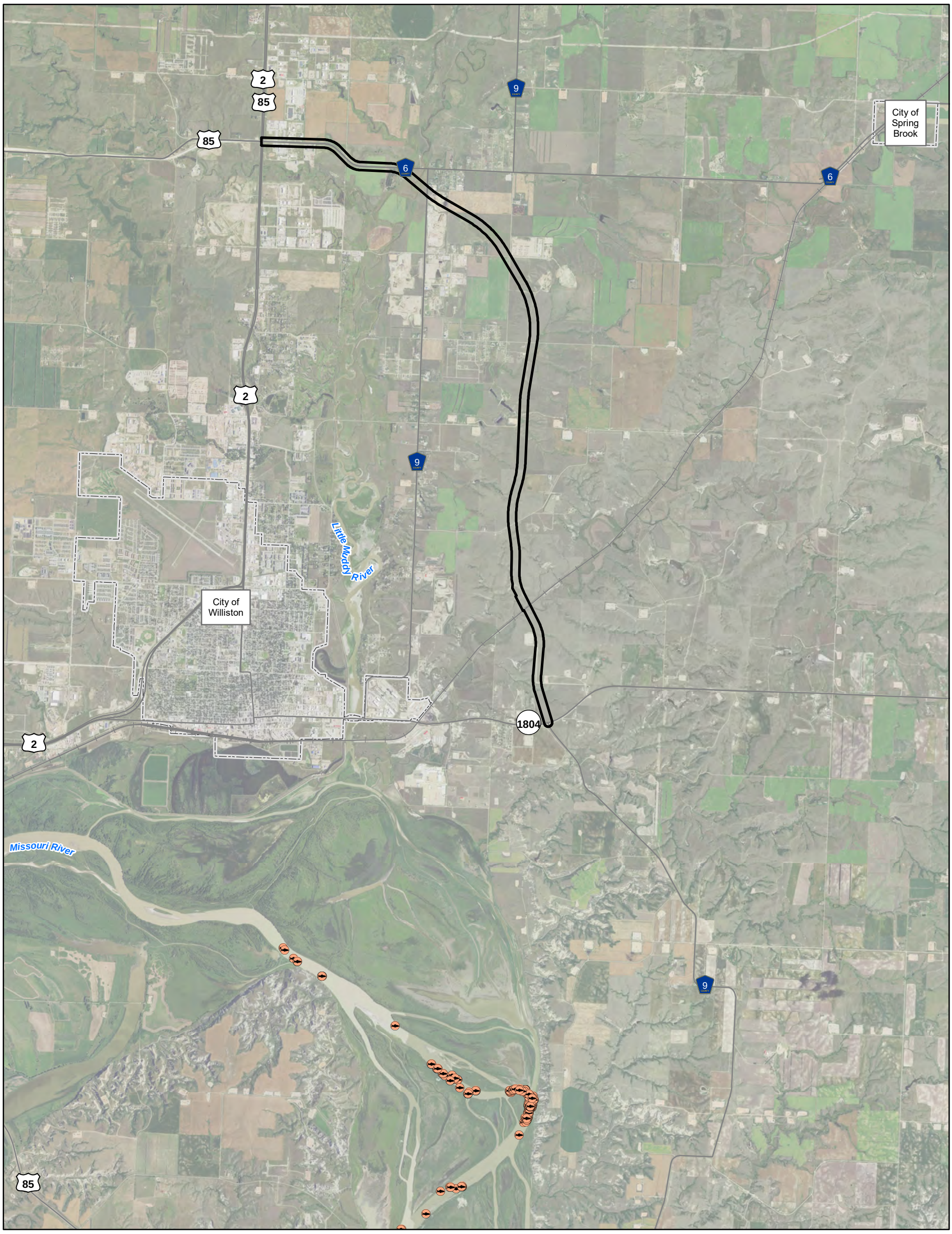
PCN: 20788

N

20,000 10,000 0 20,000 Feet

Path: L:\1362\0009\mxd\BA\PP NestLocations.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Historical Piping Plover and Interior Least Tern Nesting Locations		Exhibit 10



Legend

- Pallid Sturgeon Captures
- Alternative H
- Highways
- BNSF Railroad

5,000 2,500 0 5,000 Feet

N

Drawn by: JCS
Date: 01-03-18

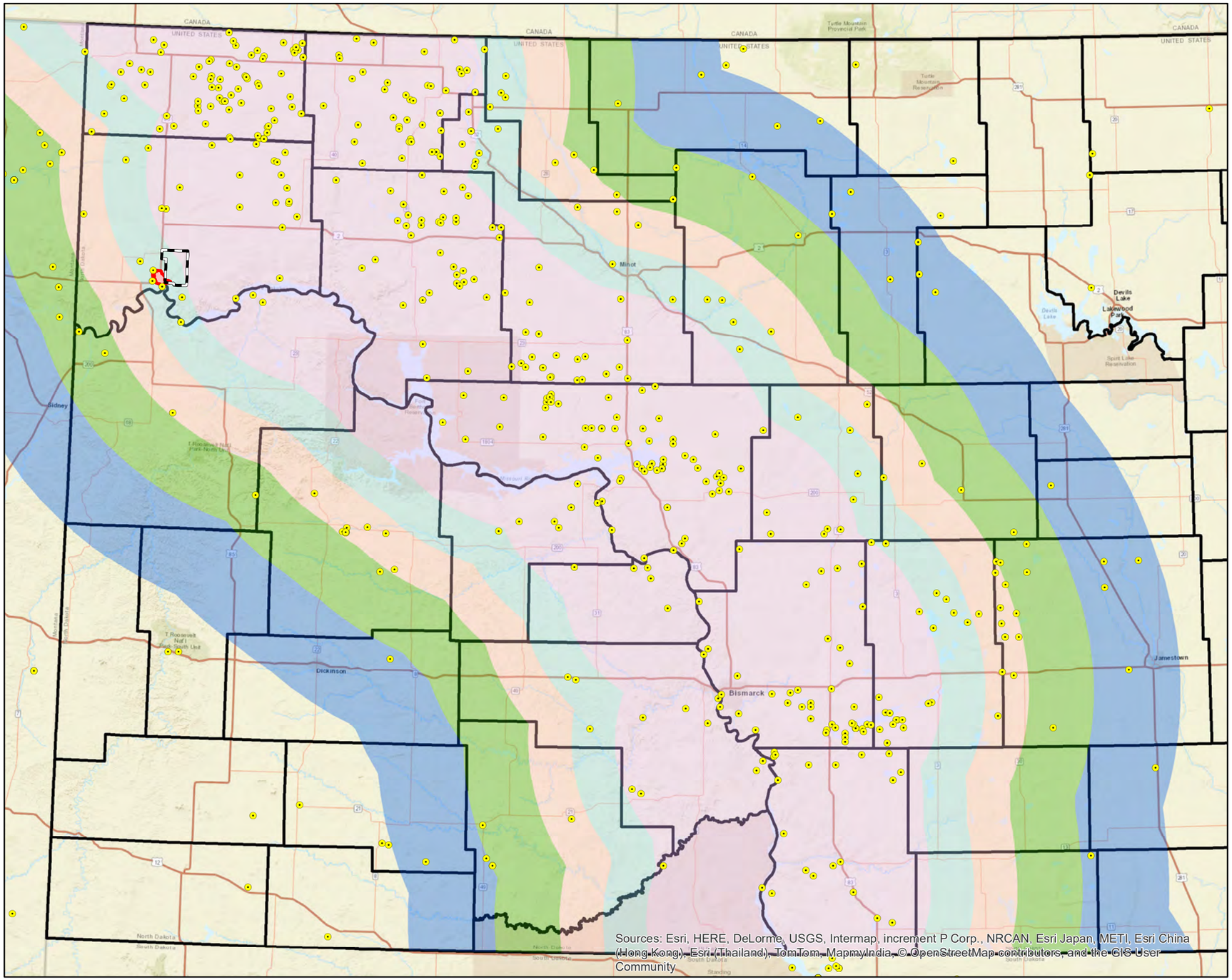
Project ID: SS-7-804(053)900

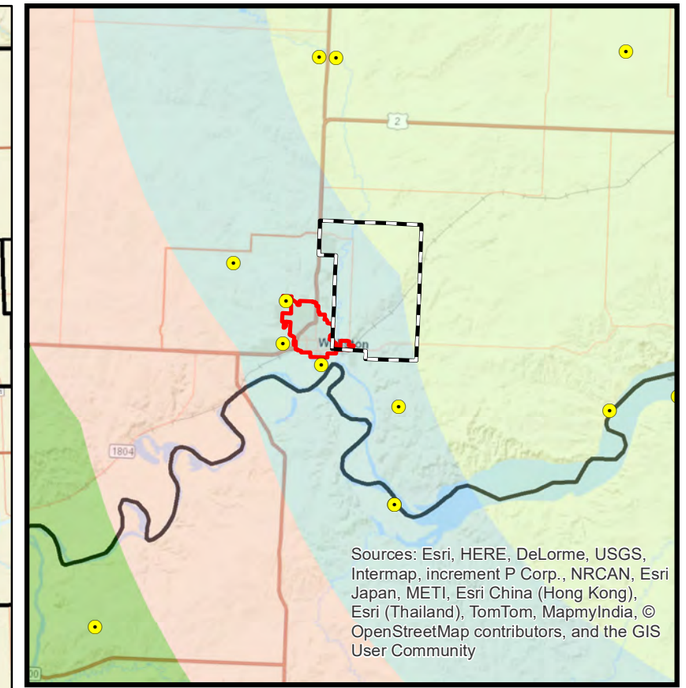
PCN: 20788

2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Pallid Sturgeon Observations.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Pallid Sturgeon Observations		Exhibit 11





Legend

- Project Area
- City of Williston
- Whooping Crane Sightings (Confirmed)

Whooping Crane Migration Corridor

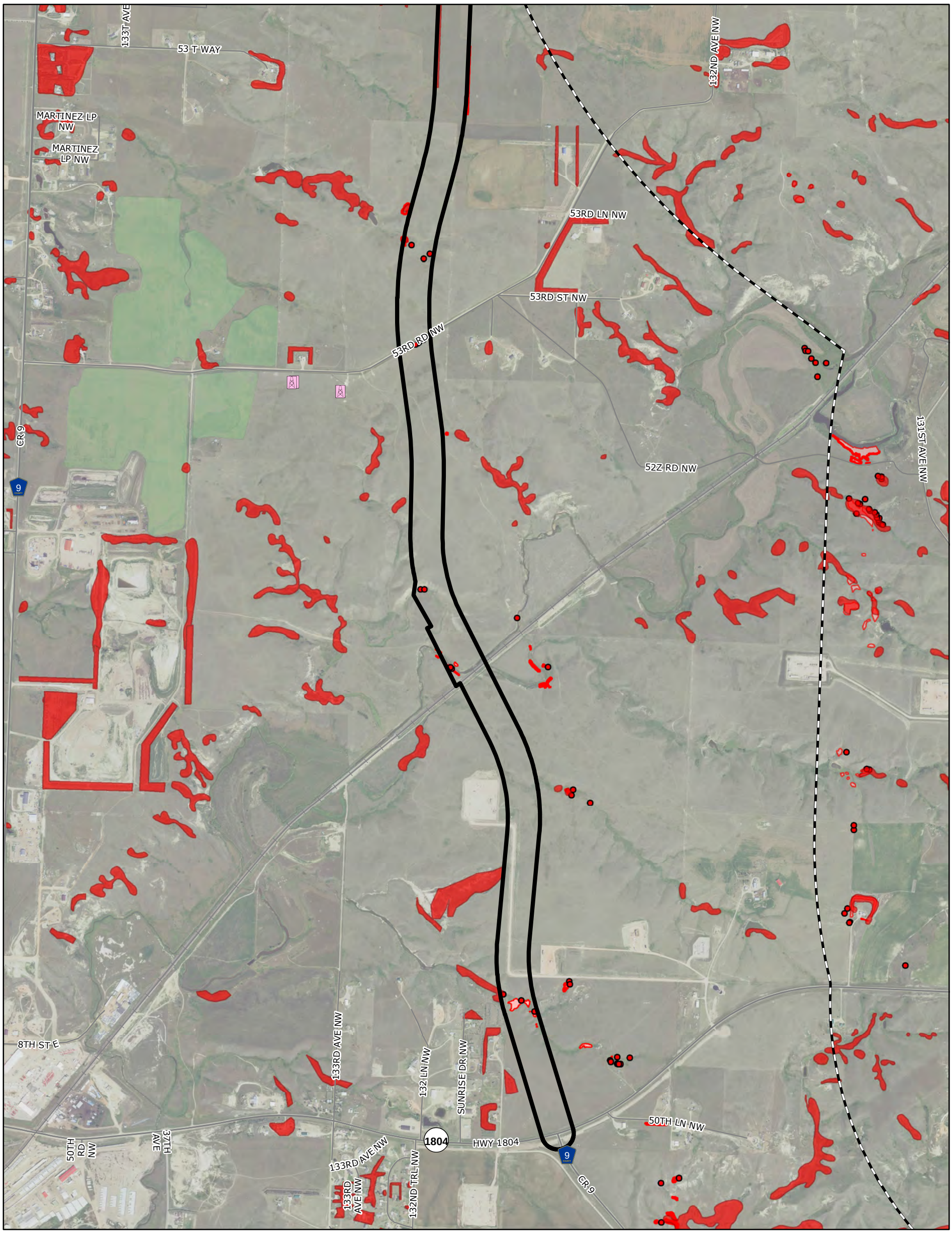
- 75% (60 mi Corridor)
- 80% (80 mi Corridor)
- 85% (100 mi Corridor)
- 90% (130 mi Corridor)
- 95% (170 mi Corridor)
- County Boundary

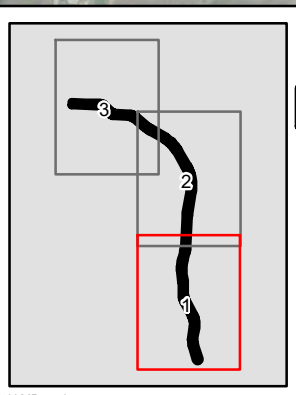
30 15 0 30 Miles

N

Path: L:\1362\0009\mxd\BA\Whooping Crane Migration Corridors.mxd
Date: 5/3/2016 Time: 10:05:58 AM User: ShuJC0243

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	APR 2016
Whooping Crane Migration Corridors/Sightings		Exhibit 12





Legend

- Alternative H
- 1 Mile Radius
- Communications Tower
- BNSF Railroad
- Woody Vegetation (Digitized from Aerial)
- Woody Vegetation
- Woody Vegetation
- Woody Vegetation

Drawn by: JCS
Date: 01-03-18

Project ID: SS-7-804(053)900

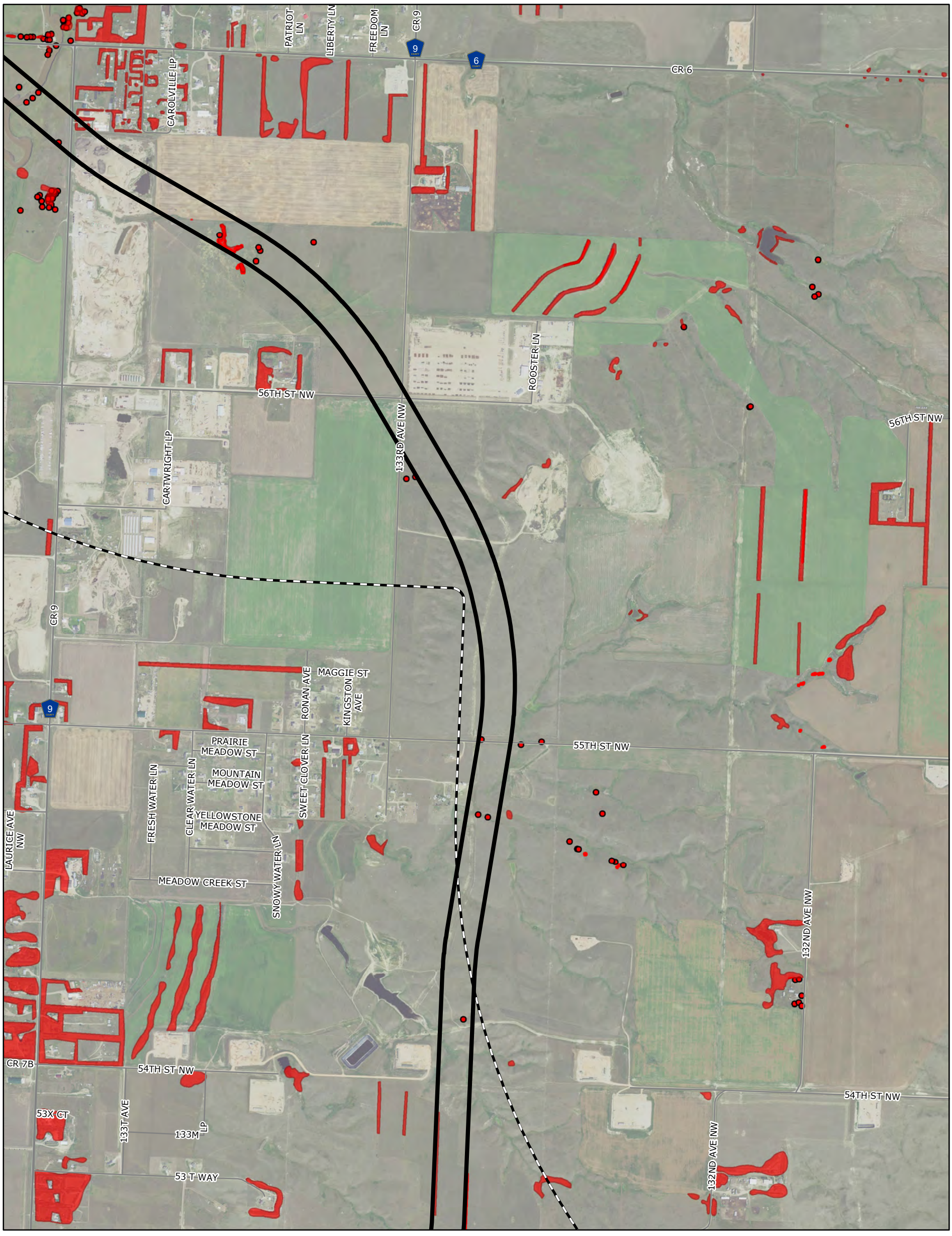
PCN: 20788
Woody Vegetation Map (1 of 3)
2016 Aerial Photograph
(Source: FSA)

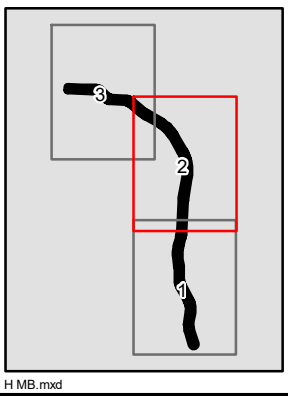
Path: L:\1362\0009\mxd\BA\Woody Vegetation Alt H MB.mxd

1,500 750 0 1,500 Feet

N

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Woody Vegetation Map (1 of 3)		Exhibit 13





Legend

- Alternative H
- 1 Mile Radius
- Communications Tower
- BNSF Railroad
- Woody Vegetation (Digitized from Aerial)
- Woody Vegetation
- Woody Vegetation
- Woody Vegetation

1,500 750 0 1,500 Feet

N

Drawn by: JCS
Date: 01-03-18

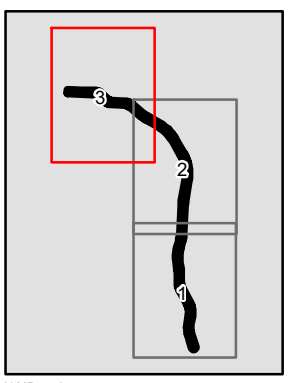
Project ID: SS-7-804(053)900

PCN: 20788
Woody Vegetation Map (2 of 3)
2016 Aerial Photograph
(Source: FSA)

Path: L:\1362\0009\mxd\BA\Woody Vegetation Alt H MB.mxd

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Woody Vegetation Map (2 of 3)		Exhibit 13

58TH ST NW
US Route 2
2
85
85
2
LOVES WAY
DEPOT LN
US Route 2
135TH AVE NW
6
CR 6
CAROLVILLE LP
TANDE LN
ENERGY ST
13TH AVE
CR 9
DERRICK AVE
OIL AVE
WELL ST
US Route 2
9
84TH ST
56TH ST NW
CARTWRIGHT LP
13TH AVE



Legend

- Alternative H
- 1 Mile Radius
- Communications Tower
- BNSF Railroad
- Woody Vegetation (Digitized from Aerial)
- Woody Vegetation
- Woody Vegetation
- Woody Vegetation

Drawn by: JCS
Date: 10-18-17

Project ID: SS-7-804(053)900

PCN: 20788
Woody Vegetation Map (3 of 3)
2016 Aerial Photograph
(Source: FSA)

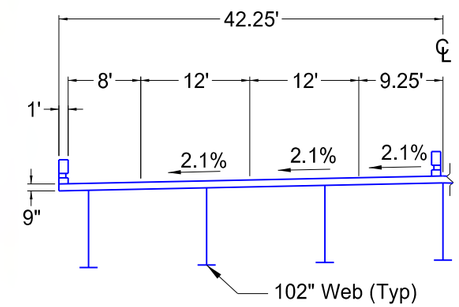
Path: L:\1362\0009\mxd\BA\Woody Vegetation Alt H MB.mxd

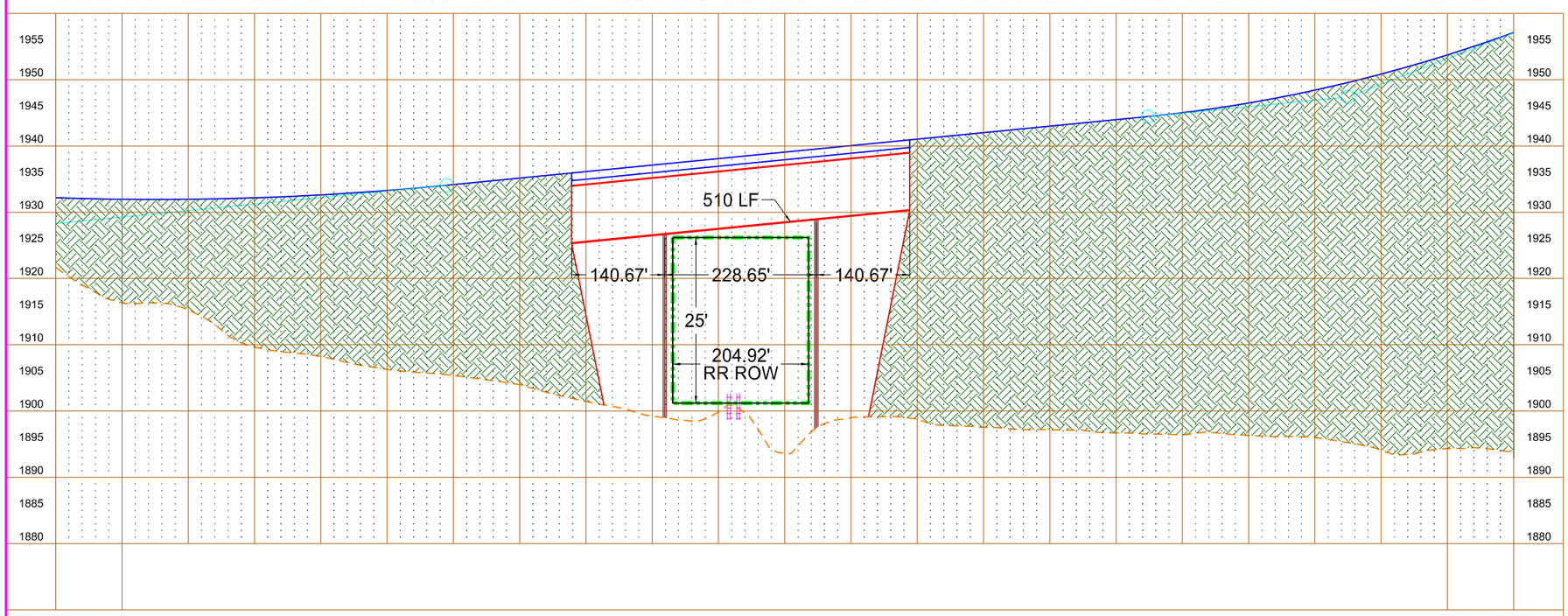
1,500 750 0 1,500 Feet

N

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION	NDDOT North Dakota Department of Transportation	JAN 2018
Woody Vegetation Map (3 of 3)		Exhibit 13

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	7-804(053)900		2





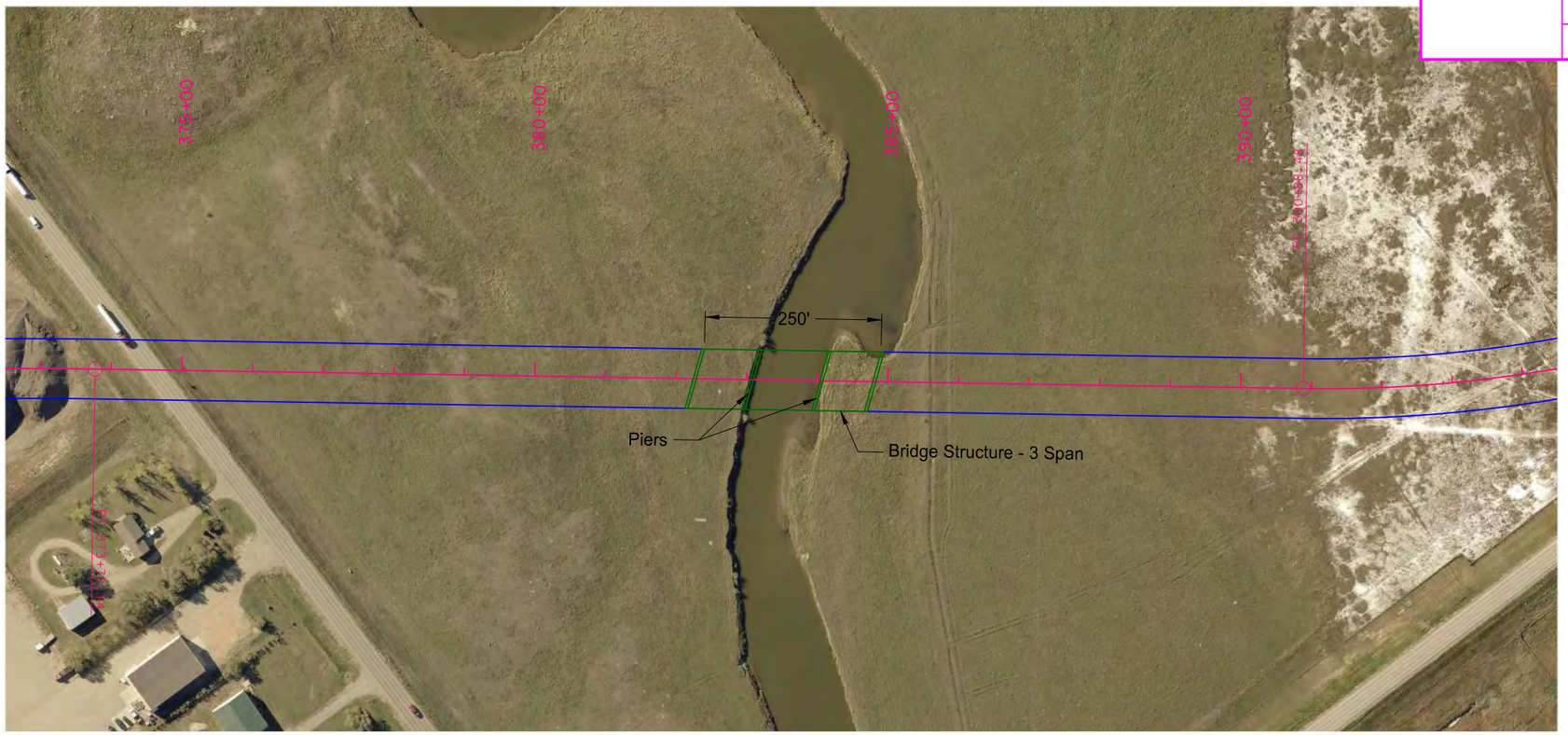
This document is preliminary and not for construction or implementation purposes.

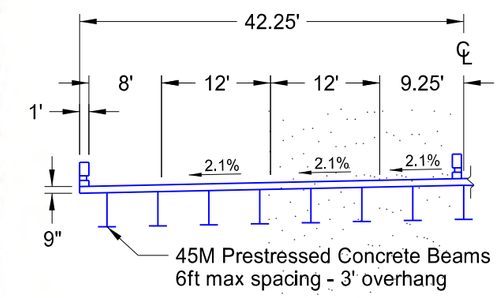
PRELIMINARY

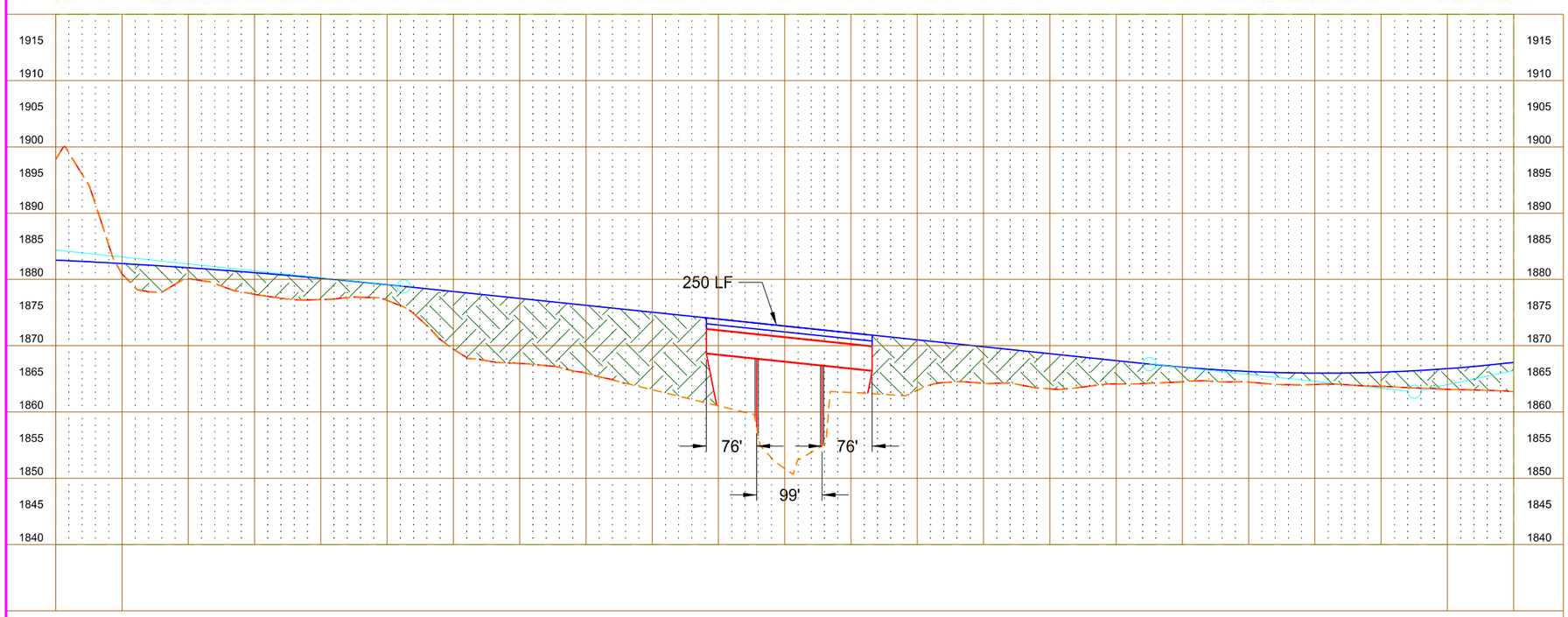
Preliminary Bridge Layout
Black Route
RR Crossing

12/21/2017 2:58:48 PM mary.schindler O:\Projects\2014\14.00940\Surveying\Alternatives\BridgeLayout_Prelim_2-20-17_02.dgn

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	7-804(053)900		1







This document is preliminary and not for construction or implementation purposes.

PRELIMINARY

Preliminary Bridge Layout
Black Route
Little Muddy River Crossing

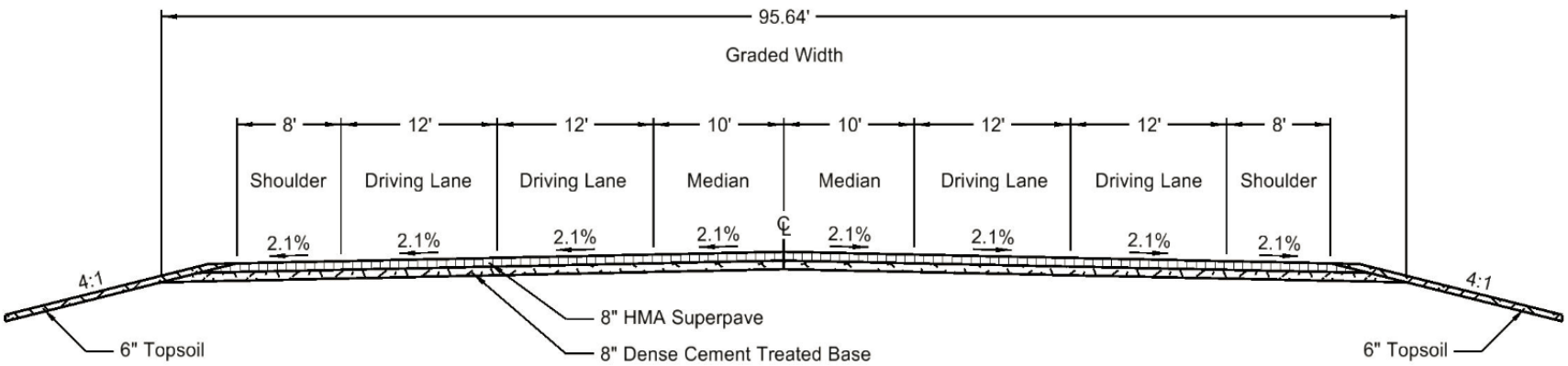
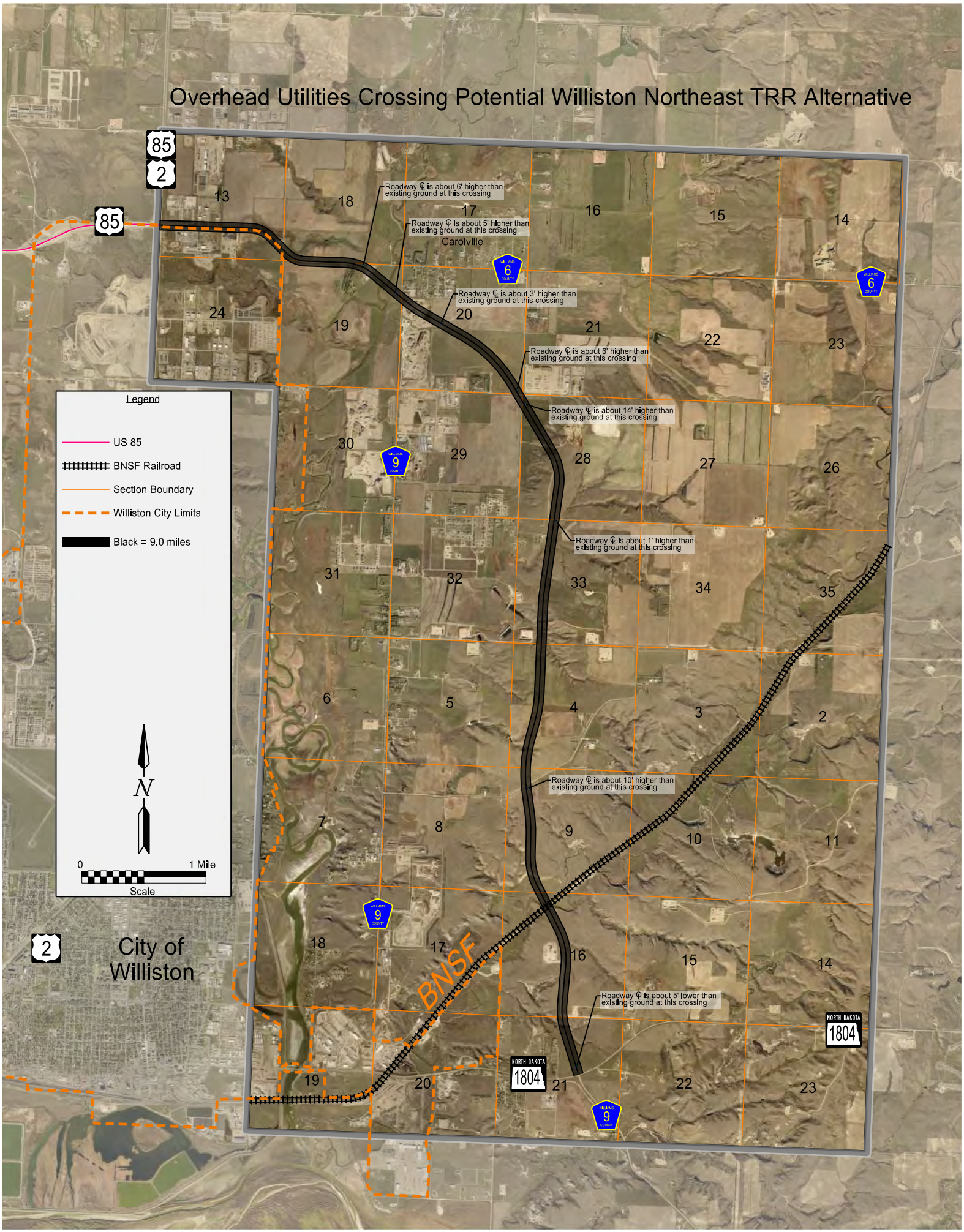
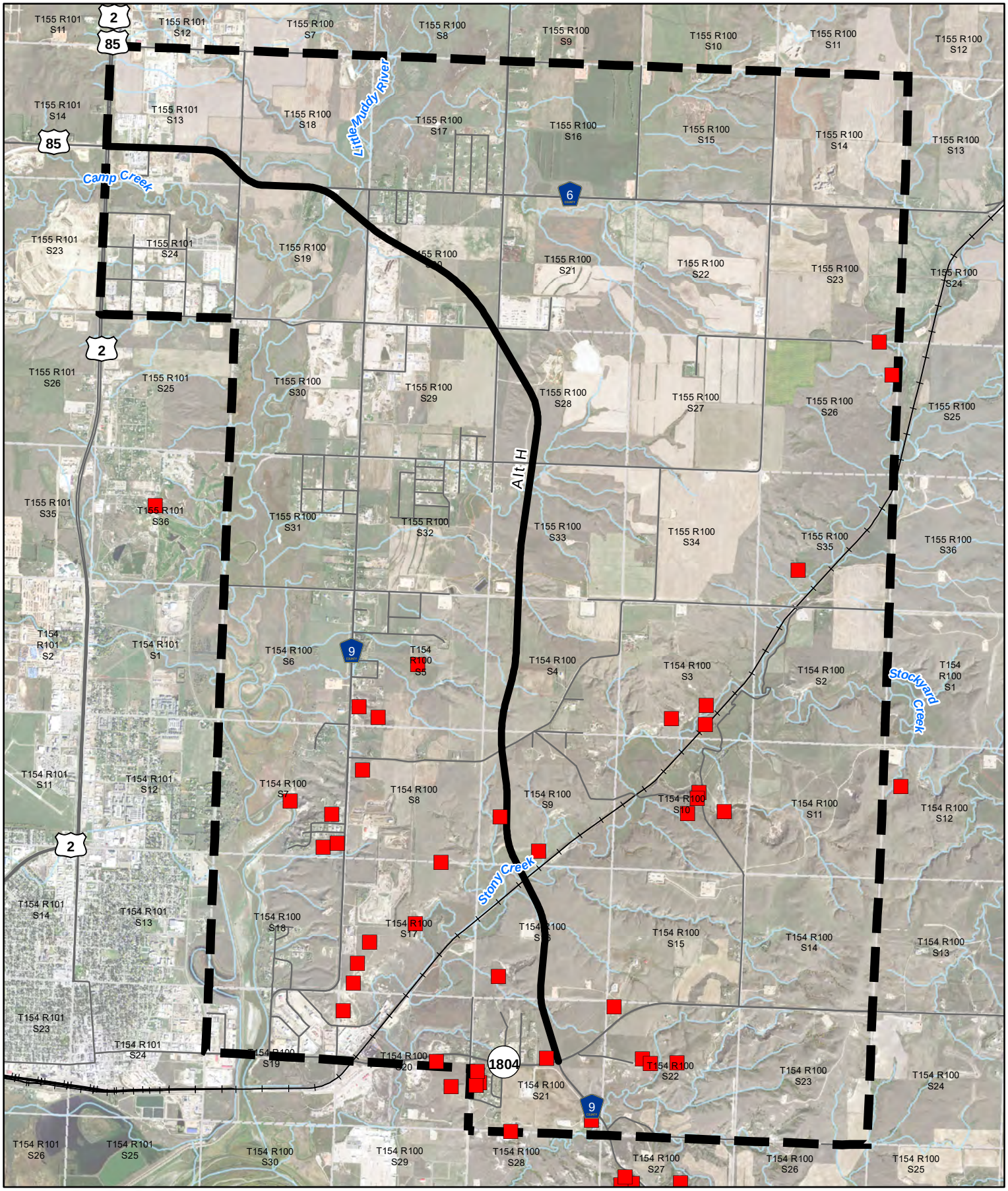


Exhibit 15 – Typical Section

Overhead Utilities Crossing Potential Williston Northeast TRR Alternative





NDDOT
North Dakota Department of Transportation

5,000 2,500 0 5,000 Feet

N

Path: L:\1362\0009\mxd\EA\Abandoned Mines.mxd
Date: 2/2/2018 Time: 2:42:30 PM User: shujc0243

Abandoned Mine
Alternative H
Project Boundary (APE)
Streams
Roads
BNSF Railroad
Section Boundary

Appendix G

Section 106 Compliance

North Dakota Department of Transportation

Thomas K. Sorel
Director

Doug Burgum
Governor

November 30, 2017

Claudia J Berg
ND State Historic Preservation Officer
ND Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Attn: Project Review Coordinator

PCN: 20788 Williston NE Truck Reliever Route
SHPO Ref #: 15-5113

CONSULTATION - CLASS III CULTURAL RESOURCE INVENTORY REPORT SUBMITTED .

Project Type: Truck Reliever Route
NDDOT Project #: 7-804(053)900
Legal Location: S.13, 155/101; S.18-22, 27-29, 33-34, 155/100; S.2-4, 9, 11, 14, 16, 21, 154/100, Williams County
Archaeological Consultant: Beaver Creek Archaeology
Report Title: *A Class III Intensive Cultural Resource Inventory of the Williston Northeast Truck Reliever Route (NDDOT 7-804(053)900, PCN 20788) Addendum in Williams County, North Dakota.*
Class III Inventory Results: 28 cultural resources were located within the project area including one previously identified TCP, seven previously recorded site leads, one previously recorded isolated find, 14 previously recorded sites (11 unevaluated, 3 ineligible), and five newly recorded sites.
Report Recommendations: Avoid eligible and unevaluated sites.
Determination: No Historic Properties Affected. The preliminary design has been developed to specifically avoid all of the eligible and unevaluated sites. As final design is completed, all eligible and unevaluated sites will be avoided. If, for some reason it is not possible to avoid eligible and unevaluated sites, we will again consult with the SHPO and tribes. The project design engineers have been instructed to insure that all eligible and unevaluated sites are avoided.

We are submitting this report for your review and for your concurrence with the above determination.

BOB CHRISTENSEN, ENVIRONMENTAL & TRANSPORTATION SERVICES DIVISION

enclosure

STATE HISTORICAL SOCIETY OF NORTH DAKOTA

Doug Burgum
Governor of North Dakota

North Dakota State Historical Board

Terrance Rockstad
Bismarck - President

Gereld Gerntholz
Valley City - Vice President

H. Patrick Weir
Medora - Secretary

Calvin Grinnell
New Town

Albert I. Berger
Grand Forks

Steve C. Martens
Fargo

Daniel Stenberg
Watford City

Sara Otte Coleman
Director
Tourism Division

Kelly Schmidt
State Treasurer

Alvin A. Jaeger
Secretary of State

Melissa Baker
Director
Parks and Recreation Department

Thomas Sorel
Director
Department of Transportation

Claudia J. Berg
Director

Accredited by the American Alliance of Museums since 1986

December 11, 2017

Mr. Bob Christensen
Archaeologist, ETS Division
Dept of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

ND SHPO Ref:. 15-5113, "A Class III Cultural Resource Inventory of the Williston Northeast Truck Reliever Route (NDDOT 7-804(053)900, PCN 20788) Addendum in Williams County, North Dakota" in portions of [T155N R101W Section 13] [T155N R100W Sections 18-22, 27-29 & 33-34] & [T154N R100W Sections 2-4, 9, 11, 14, 16 & 21] BCA 2017-1302

Dear Mr. Christensen,

We reviewed ND SHPO Ref:. 15-5113, "A Class III Cultural Resource Inventory of the Williston Northeast Truck Reliever Route (NDDOT 7-804(053)900, PCN 20788) Addendum in Williams County, North Dakota" in portions of [T155N R101W Section 13] [T155N R100W Sections 18-22, 27-29 & 33-34] & [T154N R100W Sections 2-4, 9, 11, 14, 16 & 21] BCA 2017-1302 and find the report by Brittany Brooks acceptable. Provided that the soites are avoided as stipulated in the documentation, we concur with the determination of "No Historic Properties Affected" for this project provided that it takes place in the location and in the manner indicated in the documentation and provided that all borrow comes from an approved source.

Thank you for the opportunity to review this project. If you have any questions please contact Lisa Steckler, Preservation Planner at (701) 328-3577, e-mail lsteckler@nd.gov

Sincerely,

Claudia J. Berg
State Historic Preservation Officer
(North Dakota)

RECEIVED
NDDOT
DEC 12 2017
ENVIRONMENTAL AND TRANSPORTATION SERVICES, BISMARCK, ND

Appendix H

Solicitation of Views

SOV Letters Mailing List
SOV Letter 1 General (December 16, 2014)
SOV Letter 2 USACE (September 11, 2017)
SOV Letter 3 USDA-NRCS (December 16, 2014)
SOV Letter 4 NDDoH (December 16, 2014 and June 15, 2018)
SOV Letter 5 ND SHPO (November 30, 2017)
SOV Letter 6 ND State Water Commission (December 16, 2014)
SOV Letter 7 USFWS (December 16, 2014)
SOV Letter 8 Advocacy Groups (December 16, 2014)

PCN 20788 Williston NE TRR SOV Mailing List

Title	First	Last	Title	Department	Agency	Address	City	State	Zip
Mr.	Eric	Schmit, P.E.		Chief Missile Engineering	Minot Air Force Base	320 Peacekeeper Place	Minot AFB	ND	58705
Mr.	Cy	Munos	Cable Affairs Officer	91st Missile Maintenance Squadron	Minot Air Force Base	300 Minuteman Drive	Minot AFB	ND	58705
Mr.	Weldon	Loudermilk	Regional Director	Great Plains Regional Office	Bureau of Indian Affairs	115 4th Ave. SE, Suite 400	Aberdeen	SD	57401
Mr.	Joe	Hall	Chief, Environmental and Resource Management	Dakotas Area Office	Bureau of Reclamation	PO Box 1017	Bismarck	ND	58502-1017
			Acting Regional Administrator	Regional Office	Department of HUD	1670 Broadway, Ste. 200	Denver	CO	80202-4813
Ms.	Laurie	Suttmeier	Manager	Bismarck Airports District Office	Federal Aviation Administration	2301 University Drive, Bldg 23B	Bismarck	ND	58504
			Director, Federal Insurance & Hazard Mitigation Division	Region 8	Federal Emergency Mngmt. Agency	Bldg 710, Box 25267	Denver	CO	80225
				Office of Economic Analysis	Federal Railroad Administration	1200 New Jersey Avenue SE	Washington	DC	20590
			Deputy Base Civil Engineer	319 CES/CD	Grand Forks Air Force Base	525 Tuskegee Airmen Blvd.	Grand Forks AFB	ND	58205-6434
Mr.	Brad	Thompson	Chief, Planning Branch	Omaha District Attn: CENWO-PM-A	US Army Corps of Engineers	1616 Capital Avenue	Omaha	NE	68102-4901
				Second Coast Guard Dist.	US Coast Guard	1222 Spruce Street	St. Louis	MO	63103-2832
Mr.	John	Rogers		Economic Development Administration	US Department of Commerce	PO Box 578	Helena	MT	59624
Mr.	Gerald	Paulson	Director, Transmission Lines and Substations	Western Area Power Admin.	US Department of Energy	PO Box 1173	Bismarck	ND	58502-1173
Ms.	Suzanne	Bohan	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
Senator	Heidi	Heitkamp			US Federal Building, Room 228	220 E. Rosser Ave.	Bismarck	ND	58501
Senator	John	Hoeven			US Federal Building, Room 312	220 E. Rosser Ave.	Bismarck	ND	58501
Congressman	Kevin	Cramer			US Federal Building, Room 328	220 E. Rosser Ave.	Bismarck	ND	58501
Mr.	Greg	Wiche	Director	Water Resources Division	US Geological Survey	821 E. Interstate Ave.	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.	Kyle	Wanner	Aviation Planner		ND Aeronautics Commission	PO Box 5020	Bismarck	ND	58502-5020
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.	Larry	Kotchman	State Forester		ND Forest Service	307 1st St. E.	Bottineau	ND	58318-1100
Mr.	Steve	Dyke	Supervisor	Conservation Section	ND Game & Fish Department	100 Bismarck Expressway	Bismarck	ND	58501-5095
Mr.	Edward	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.	Scott	Hochhalter	State Soil Specialist	NDSU Extension Service	Soil Conservation Committee	2718 Gateway Ave., #104	Bismarck	ND	58503
Mr.	John	Hoganson	State Paleontologist		ND Geological Survey	600 E. Blvd. Ave.	Bismarck	ND	58505
Mr.	Scott	Meske	President	Chamber of Commerce	City of Williston	PO Box G	Williston	ND	58802
Mr.	Shawn	Wenko	Executive Director	Economic Development	City of Williston	PO Box 1306	Williston	ND	58802-1306
			President	Park Board	City of Williston	PO Box 1153	Williston	ND	58802
Mr.	Darin	Krueger	Executive Director	Parks & Recreation	City of Williston	PO Box 1153	Williston	ND	58802
Mr.	Glenn	Boyeff	Chairman	Planning/Zoning Committee	City of Williston	PO Box 1306	Williston	ND	58802-1306
Mr.	Dave	Bell	Superintendent	Public Works	City of Williston	PO Box 2437	Williston	ND	58802-2437
Mr.	Pete	Andre	Superintendent	Water Works	City of Williston	PO Box 2437	Williston	ND	58802-2437
			Auditor		City of Williston	PO Box 1306	Williston	ND	58802-1306
Mr.	Howard	Klug	Commission		City of Williston	PO Box 1306	Williston	ND	55802-1306
			Fire Chief		City of Williston	PO Box 1306	Williston	ND	55802-1306
Mr.	Bruce	Johnson	Forester		City of Williston	PO Box 2437	Williston	ND	58802-2437
Mr.	Howard	Klug	Mayor		City of Williston	PO Box 1306	Williston	ND	55802-1306
Mr.	James	Lokken	Police Chief		City of Williston	233 East Broadway, Suite 201	Williston	ND	58801
Mr.	James	Solberg	Recreation Superintendent		City of Williston	PO Box 1153	Williston	ND	58802
Mr.	Jim	Engen	Road Foreman		City of Williston	PO Box 2437	Williston	ND	58802-2437
Dr.	Viola	LaFontaine	Superintendent		Williston Public School District #1	PO Box 1407	Williston	ND	58801
Mr.	Tim	Coughlin	Public Administrator	Adminstration	Williams County	PO Box 2047	Williston	ND	58802-2047
			Chairman	Park Board	Williams County	PO Box 2047	Williston	ND	58802-2047
			Administrator	Planning/Zoning	Williams County	PO Box 2047	Williston	ND	58802-2047
			Director	Soil Conservation District	NDSU Extn Service Williams County	PO Box 1109	Williston	ND	58801
Mr.	Corey	Paryzek	Chairman	Water Resource Board	Williams County	PO Box 2047	Williston	ND	58802-2047
			Auditor	Auditor's Office	Williams County	PO Box 2047	Williston	ND	58802-2047
Mr.	Dan	Kalil	Commission Chairman	County Commission	Williams County	13925 51ST St NW	Williston	ND	58801
Mr.	Barry	Ramberg	District 5 Commissioner	County Commission	Williams County	PO Box 854	Tioga	ND	58852
			Emergency Services	Emergency Services	Williams County	223 E. Broadway. Suite 202	Williston	ND	58801
Mr.	Dennis	Nelson	Road Superintendent	Highway Department	Williams County	213 11th St. W	Williston	ND	58801
Mr.	Scott	Busching	Sheriff		Williams County	233 East Broadway, Suite 301	Williston	ND	58801

PCN 20788 Williston NE TRR SOV Mailing List

Title	First	Last	Title	Department	Agency	Address	City	State	Zip
Mr.	Dennis	Neitzke	Grassland Supervisor	Dakota Prairie Grasslands	US Forest Service	1200 Missouri Ave	Bismarck	ND	58504
Mr.	Jay	Frederick	District Ranger	McKenzie Ranger District	US Forest Service	1901 S. Main St.	Watford City	ND	58854
Mr.	Doug	Stangeland	Supervisor Chairman	Township Board	Stony Creek Township	PO Box 70	Williston	ND	58801
Mr.	Joe	Trumpower	Supervisor Chairman	Township Board	Pherrin Township	5481 134TH AVE NW	Williston	ND	58801
Mr	Dustin	Schultz			Advanced Engineering & Environmental Services, Inc.	1815 Schafer St, Ste 301	Bismarck	ND	58501
Mr.	Duey	Marthaller			Basin Electric Power Cooperative	1717 E Interstate Ave	Bismarck	ND	58503-0564
Mr.	Jeremy	Nelson			Belle Fourche Pipeline Co.	PO Drawer 2360	Casper	WY	82602
Mr.	Robert	Stamp			Belle Fourche Pipeline Co.	PO Drawer 2360	Casper	WY	82602
Mr.	John	Traeger			Cenex Pipeline LLC	803 Highway 212 South	Laurel	MT	59044
Mr.	Bob	Hanson		Public Works and Engineering	City of Williston Public Works & Engineering	PO Box 2437	Williston	ND	58802-2437
Sir	or Madam				ConocoPhillips - Burlington Resources Oil and Gas Company LP	PO Box 7500	Bartlesville	Oklahoma	74004-7500
Sir	Dan	Flack			ConocoPhillips-Burlington Resources Oil and Gas Company LP	3435 Mountain Pass Road, Billings MT. 59102	Billings MT.	MT	59102
Mr.	Reed	Dukart			Dakota Gasification Co.	420 County Road 26	Beulah	ND	58523
Mr.	Greg	Demme			Enbridge Pipelines, LLC	2505 16th St SW	Minot	ND	58701-6947
Mr.	Duane	Klabunde			Enbridge Pipelines, LLC	PO Box 701	Williston	ND	58801-0701
Mr.	Larry	Sabo			Encore Operating LP	2732 Highway 85 N	Alexander	ND	58831
Mr.	Stephen	Marchesi			Hess Corporation				
Ms.	Sara	DiFonzo			Hiland Partners	3507 149th Ave NW	Alexander	ND	58831
Mr.	Kirk	Johnson			Landtech Enterprises	PO Box 1560	Sidney	MT	59270
		Robert Johnson			Midcontinent Communications	5030 Gateway Dr., Suite B	Grand Forks	ND	58203
Mr.	Brian	Cobb			Montana Dakota Utilities	PO Box 1406	Williston	ND	58802
Mr.	Dan	Hood			Montana Dakota Utilities	PO Box 1407	Dickinson	ND	58602
Mr.	John	Persteins			Montana Dakota Utilities	220 2nd Ave E	Williston	ND	58801
Mr.	Holly	Watts			Montana Dakota Utilities	400 N 4th St	Bismarck	ND	58501-4092
Mr.	Jacob	Zettel			Montana Dakota Utilities	PO Box 1407	Dickinson	ND	58602
Mr.	Darin	Swensrud			Mountrail-Williams Electric Cooperative	PO Box 1346	Williston	ND	58802
Mr.	Jim	Backman	Engineering Manager		Nemont Telephone Cooperative, Inc.	PO Box 600	Scobey	MT	59263-0600
Mr.	Ken	Miller		Land Department	Northern Border Pipeline Co.	13710 FNB Parkway Ste 300	Omaha	NE	68154
	Pat	Moskal			Northwest Communications Coop.	PO Box 38	Ray	ND	58849-00338
Mr.	Eric	Bayes	District Manager		Oasis Petroleum - 5437 137th Ave NW - Williston, ND 58808	5437 137th Ave NW	Williston	ND	58808
Mr.	Jake	Pennington			ONEOK Rockies Midstream	2700 Lincoln Ave SE	Sidney	MT	59270
Mr.	Greg	Jacobsen			Pecan Pipeline Co.	600 17th St, Ste 1100N	Denver	CO	80202
Mr.	Rodney	Krogh			Petro-Hunt (Little Knife Plant Office)	813 123rd Ave SW	Killdeer	ND	58640
Mr.	Dan	Holli			Plains All American Pipeline LP	PO Box 708	Belfield	ND	58622
Mr.	Ed	Shypkoski	District Manager		Plains All American Pipeline LP	PO Box 708	Belfield	ND	58622
Mr.	John	Waldeck			Plains All American Pipeline LP	333 Clay Street, Ste 1600	Houston	TX	77002
Mr.	David	Wait	Vice President Engineering		Saddle Butte Pipeline LLC	858 Main Ave, Ste 301	Durango	CO	81301
Mr.	Todd	Sando	State Engineer		State Water Commission	900 E Boulevard Ave	Bismarck	ND	58505-0850
Mr.	Duane	Haugen			Statoil (Brigham Oil & Gas)	14649 Brigham Drive	Williston	ND	58801
Mr.	Shawn	Rost			Targa Badlands LLC (Saddle Butte)	1504 6th Ave NE	Watford City	ND	58854
Mr.	Norm	Winter			Targa Badlands LLC (Saddle Butte)	1000 Louisiana St	Houston	TX	77002
Mr.	Gary	Overson			Tesoro				
Mr.	Paul	Beyer			Tesoro-High Plains Pipeline Co.	PO Box 342	Sidney	MT	59270
Mr.	Gary	Oversen			Tesoro-High Plains Pipeline Co.	PO Box 1207	Dickinson	ND	58601
Mr.	Delmar	Falcon	Manager		Trenton Rural Water Users	PO Box 236	Trenton	ND	58853
Mr.	Alfred	Slater	President		Trenton Rural Water Users	PO Box 236	Trenton	ND	58853
Mr.	Sean	King			True Cos (Belle Fourche Pipeline)	PO Box 2360	Casper	WY	82602
Ms.	Cristine	Hoferer			Upper Missouri G&T c/o HDR, Inc	2913 Millennium Circle	Billings	MT	59102
	Claire	Vigesaa			Upper Missouri Generation & Transmission Elec. Coop. Inc.	Box 1069	Sidney	MT	59102
Mr.	Dan	Wadzinski			URS (Enbridge Pipeline)				
Mr.	Gerald	Paulson			US Department of Energy -WAPA	PO Box 1173	Bismarck	ND	58502-1173
Mr.	Keith	Seifert			WBI Energy	2010 Montana Ave	Glendive	MT	59330
Mr.	Gerald	Paulson			Western Area Power Administration	PO Box 1173	Bismarck	ND	58502-1173
Mr.	Al	Wood			Western Area Power Administration	PO Box 1173	Bismarck	ND	58502-1173
Mr.	Jaret	Wirtz	Executive Director		Western Area Water Supply Authority	PO Box 1306	Williston	ND	58802-1306
Mr.	Blaine	Hoffman			Whiting Oil and Gas Corporation	2020 Highway 85 SW	Fairfield	ND	58627
Mr.	Ben	Clarys	Assistant Manager		Williams Rural Water Association	PO Box 1285	Williston	ND	58802-1285
Mr.	Ray	Kordonowy			XTO Energy (Encore & Exxon Mobil)	PO Box 1589	Sidney	MT	59270
Ms.	Debra	Bell			Bridger Pipeline LLC.	P.O. Drawer 2360	Casper	WY	82602
Mr.	Steve	Meagher			Whiting Oil and Gas	4499 Highway 8	New Town	ND	58763

Ulteig

Engineering, Surveying, and Consulting Services

December 16, 2014

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is expected to be constructed during the 2016 construction season.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated study corridor width will be approximately 300 to 400 feet or more depending on project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the project area as feasible based on suitability, and would require environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

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 roadway improvement. We would also appreciate being

made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed roadway facility. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used to prepare an Environmental Assessment and help determine if a Draft Environmental Impact Statement is needed for the project.

It is requested that any comments or information be forwarded to our office on or before 01/16/15. If no reply is received by this date, it will be assumed that you have no comment on this project.

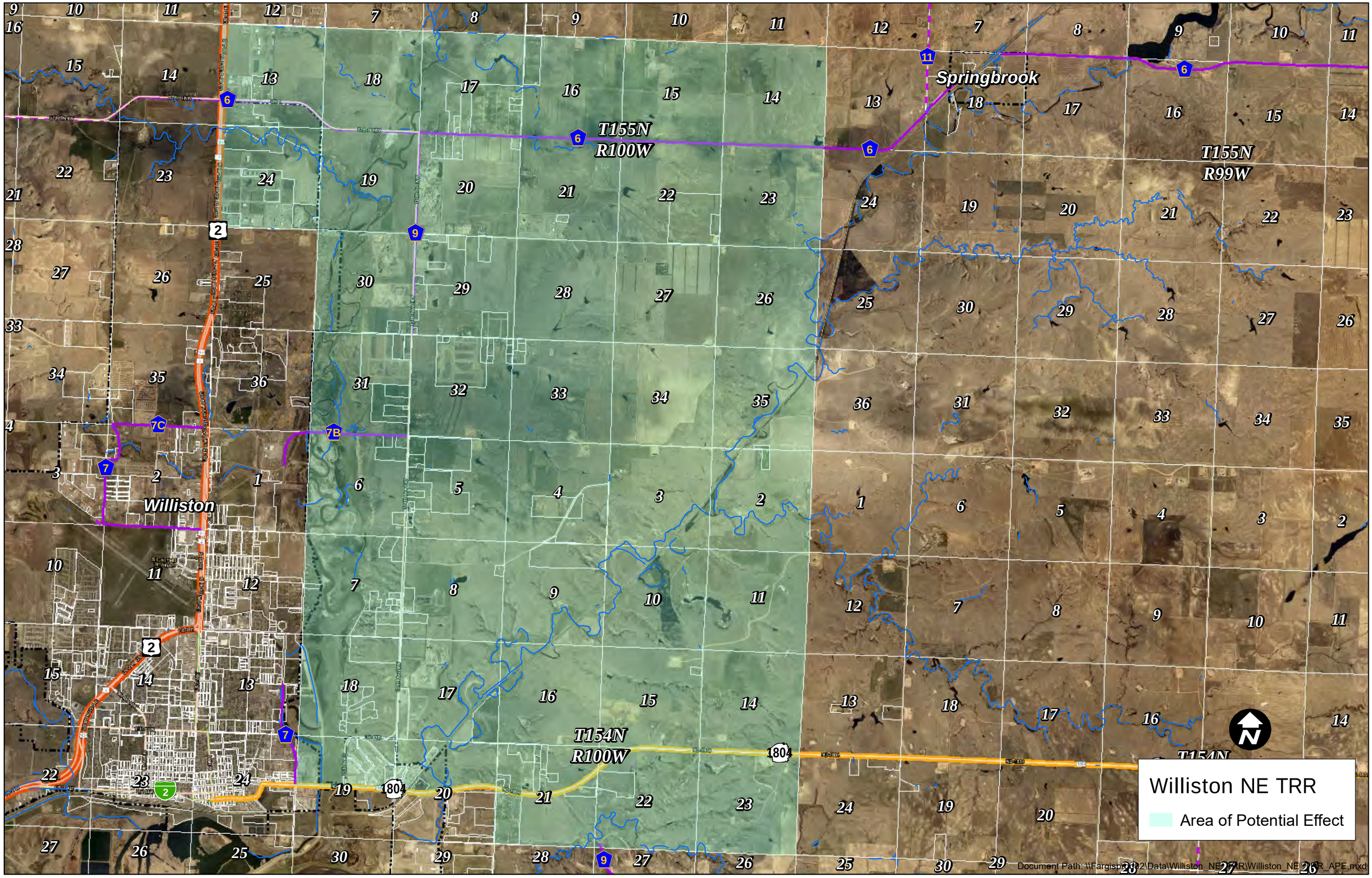
If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

Sincerely,

JENNIFER HANLEY, PE

jh/ad

Enclosure


Williston NE TRR
Area of Potential Effect
Springbrook
Williston
T155N
R100W
T155N
R99W
T154N
R100W
T154N
N
Document Path: \\Fargisp02\Data\Williston_NE_TRR\Williston_NE_TRR_APE.mxd

North Dakota Department of Transportation

Thomas K. Sorel
Director

Doug Burgum
Governor

September 11, 2017

Ms. Patricia McQueary, State Program Manager
US Army Corps of Engineers
North Dakota Regulatory Office
3319 University Dr.
Bismarck, ND 58504

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY
Wetland Jurisdictional Request

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated

This project is currently unfunded and does not have a bid opening scheduled for construction at this time.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated study corridor width will be approximately 300 to 400 feet or more depending on project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will

not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the project area as feasible based on suitability, and would require environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

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 agency may own or have an interest in adjacent to the proposed highway improvement. We would also appreciate being made aware of any proposed developments your agency, or any other parties, may be contemplating in the areas under consideration for the proposed highway project. Any information that might help us in our studies would be appreciated.

Information or comments relating to environmental or other matters that you might furnish will be used in the "Environmental Assessment" that is being prepared.

Waterbodies in the vicinity of the project include the Little Muddy River and Stony Creek. A map indicating the delineated waterbodies and/or wetlands within the project area is enclosed. The delineation map was completed by the Wenck Associates on 7/17/16.

Please provide a determination for each of the waterbodies and/or wetlands and identify them on the enclosed table. This may include an approved jurisdictional determination, preliminary jurisdictional determination, and/or identification of preamble waters. It is requested that you forward this determination(s), and any comments or other information to our office by October 8, 2017. We will apply for a Section 404 Permit if any jurisdictional waters will be impacted by the project.

NDDOT grants the US Army Corps of Engineers right of entry to legally access any of the project area within roadway right of way. Any areas outside of roadway right of way requires notification so NDDOT can accompany you to the field or obtain permission where necessary.

If further information is desired regarding the proposed roadway improvement, please contact Matt Sperry at 328-3486 in Bismarck, ND.

MATT SPERRY, ENVIRONMENTAL SECTION LEADER
Jh/ms
Enclosure

Ulteig

Engineering, Surveying, and Consulting Services

December 16, 2014

Ms. Mary E. Podoll, State Conservationist
U.S. Department of Agriculture - NRCS
P.O. Box 1458
Bismarck, ND 58502-1458

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with HBP or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated. The proposed project may disturb 10 acres or more per linear mile outside of the existing right-of-way, or 3 acres per existing bridge or interchange outside of the existing right-of-way. Acreage includes both direct and indirect conversion.

This project is expected to be constructed during the 2016 construction season.

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

Please identify any prime farmland in the area. In addition, we request your comments on any effect this project will have on prime farmland. If there is prime or unique farmland within the project area, the information you provide will be used to fill out the Site Assessment portion of the Farmland Conversion Impact Rating Sheet for each alternative under consideration, as required by the Farmland Protection Policy Act (FPPA).

The Federal Highway Administration's Guidelines for Implementing the Final Rule of the Farmland Protection Policy Act for Highway Projects states that if all project alternatives receive a site assessment rating of less than 60 (and, therefore, a maximum overall rating of less than 160), the rating sheet does not have to be sent to the NRCS but will be placed in the project file. Under FPPA, projects with scores of less than 160 are given a minimum level of consideration for protection and no further sites would need to be evaluated.

Information or comments relating to environmental or other matters that you might furnish will be used to prepare an Environmental Assessment and help determine if a Draft Environmental Impact Statement is needed for the project.

It is requested that any comments or information be forwarded to our office on or before 01/16/15. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

Sincerely,

Jennifer Hanley

JENNIFER HANLEY, PE

jh/ad

Enclosure

Ulteig

3350 38th Ave. S.
Fargo, ND 58104
Tel 701-280-8500
Fax 701-237-3191
www.ulteig.com

December 16, 2014

Mr. David Glatt
Chief
Environmental Health Section
ND Department of Health
918 E. Divide Ave., 4th floor
Bismarck, ND 58501-1947

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is expected to be constructed during the 2016 construction season.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated corridor width will be approximately 300 to 400 feet or more depending project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors.

Right-of-way will not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the projects area as feasible based on suitability, and would require environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

The following tabulation shows the average daily traffic volumes (ADT) once the new facility is completed and the expected ADT in 20 years after completion.

LOCATION	ADT Upon Completion of Improvement (2014)	Forecasted ADT (2040)
Temporary TRR (CR9)	4,995	7,800

We believe that these volumes are not of the magnitude that would result in the violation of any Air Quality Standards and the project is consistent with the State Implementation Plan for air quality.

Your concurrence in this determination is requested.

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 issues pertaining to solid and hazardous waste, municipal wastewater, water quality, and the occurrence of past contamination along the project area.

Information or comments relating to environmental or other matters that you might furnish will be used to prepare an Environmental Assessment and help determine if a Draft Environmental Impact Statement is needed for the project.

It is requested that any comments or information be forwarded to our office on or before 01/16/15. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

Sincerely,

JENNIFER HANLEY, PE

jh/ad

Enclosure

Ulteig

3350 38th Ave. S.
Fargo, ND 58104
Tel 701-280-8500
Fax 701-237-3191
www.ulteig.com

June 15, 2018

Mr. David Glatt
Chief
Environmental Health Section
ND Department of Environmental Quality
918 E. Divide Ave., 4th floor
Bismarck, ND 58501-1947

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804. The project was initiated in 2014. Through the Environmental Assessment (EA) development, it has been discovered that the original solicitation may not have been sent to the ND Department of Health (see original letter attached). Since 2014, a number of concept corridors have been evaluated and 3 alignments have been carried forward in the EA, including a preferred alignment (see attached project location map). We are currently in the draft phase of the EA.

The project consists of developing an EA, which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. The EA has evaluated a 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a

NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is currently unfunded and a construction date has not been identified.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated corridor width will be approximately 300 to 400 feet or more depending project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will not be acquired for the entire width of the study corridor. Wetland mitigation sites will be identified in the project area as feasible based on suitability, and would require environmental clearance.

The following tabulation shows the average daily traffic volumes (ADT) at the initiation of the project and the expected ADT in 2040 since it is unknown when construction would occur.

LOCATION	ADT Upon Initiation of Project	Forecasted ADT (2040)
Temporary TRR (CR9)	4,995	7,800

We believe that these volumes are not of the magnitude that would result in the violation of any Air Quality Standards and the project is consistent with the State Implementation Plan for air quality.

Your concurrence in this determination is requested.

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 issues pertaining to solid and hazardous waste, municipal wastewater, water quality, and the occurrence of past contamination along the project area.

Information or comments relating to environmental or other matters that you might furnish will be used for the Environmental Assessment being prepared.

It is requested that any comments or information be forwarded to our office on or before 07/15/2018. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

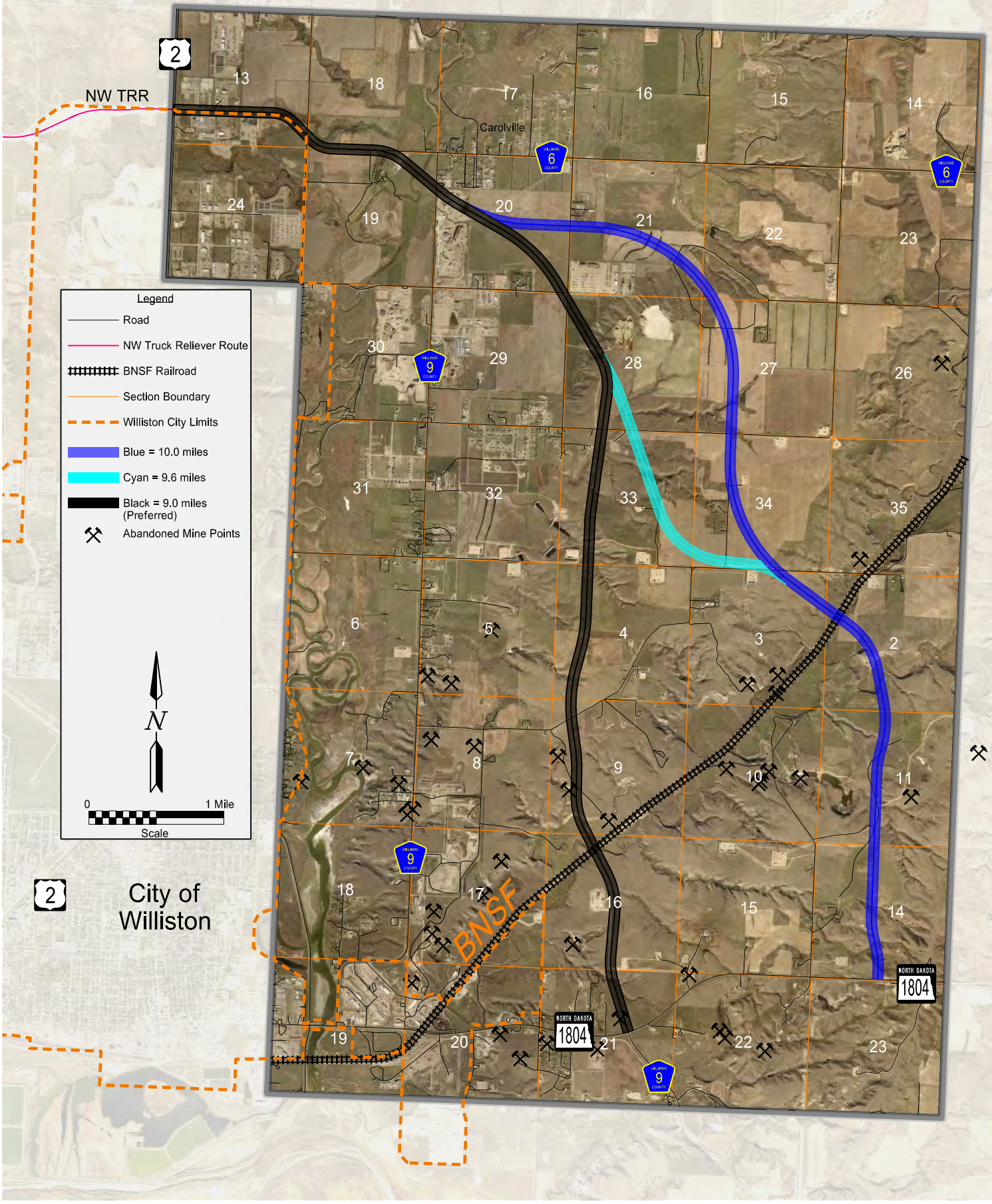
Sincerely,

JENNIFER HANLEY, PE

jh/ad

Enclosure

Potential Williston Northeast TRR Alternatives



North Dakota Department of Transportation

Thomas K. Sorel
Director

Doug Burgum
Governor

November 30, 2017

Claudia J Berg
ND State Historic Preservation Officer
ND Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Attn: Project Review Coordinator

PCN: 20788 Williston NE Truck Reliever Route
SHPO Ref #: 15-5113

CONSULTATION - CLASS III CULTURAL RESOURCE INVENTORY REPORT SUBMITTED .

Project Type: Truck Reliever Route
NDDOT Project #: 7-804(053)900
Legal Location: S.13, 155/101; S.18-22, 27-29, 33-34, 155/100; S.2-4, 9, 11, 14, 16, 21, 154/100, Williams County
Archaeological Consultant: Beaver Creek Archaeology
Report Title: *A Class III Intensive Cultural Resource Inventory of the Williston Northeast Truck Reliever Route (NDDOT 7-804(053)900, PCN 20788) Addendum in Williams County, North Dakota.*
Class III Inventory Results: 28 cultural resources were located within the project area including one previously identified TCP, seven previously recorded site leads, one previously recorded isolated find, 14 previously recorded sites (11 unevaluated, 3 ineligible), and five newly recorded sites.
Report Recommendations: Avoid eligible and unevaluated sites.
Determination: No Historic Properties Affected. The preliminary design has been developed to specifically avoid all of the eligible and unevaluated sites. As final design is completed, all eligible and unevaluated sites will be avoided. If, for some reason it is not possible to avoid eligible and unevaluated sites, we will again consult with the SHPO and tribes. The project design engineers have been instructed to insure that all eligible and unevaluated sites are avoided.

We are submitting this report for your review and for your concurrence with the above determination.

BOB CHRISTENSEN, ENVIRONMENTAL & TRANSPORTATION SERVICES DIVISION

enclosure

Ulteig

Engineering, Surveying, and Consulting Services

December 16, 2014

Mr. Todd Sando
State Engineer
ND State Water Commission
900 E. Boulevard Avenue
Bismarck, ND 58505-0850

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is expected to be constructed during the 2016 construction season.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated corridor width will be approximately 300 to 400 feet or more depending project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the projects area as feasible based on suitability, and would require

environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

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 roadway improvement. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed roadway facility. Any information that might help us in our studies would be appreciated. Information or comments relating to environmental or other matters that you might furnish will be used to prepare an Environmental Assessment and help determine if a Draft Environmental Impact Statement is needed.

Please provide information on necessary permits required such as whether the project lies within a floodway or floodplain, lies within Sovereign Lands, or could affect a dam, dike, or other device. It is requested that any comments or information be forwarded to our office on or before 01/16/15.

If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

Sincerely,

Jennifer Hanley

JENNIFER HANLEY, PE

jh/ad

Enclosure

Ulteig

Engineering, Surveying, and Consulting Services

December 16, 2014

Dave Gillund
Project Leader
Crosby Wetland Management District
U.S. Fish and Wildlife Service
10100 Hwy 42 NW
Crosby, North Dakota, 58730
Email: david_gillund@fws.gov

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is expected to be constructed during the 2016 construction season.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated corridor width will be approximately 300 to 400 feet or more depending project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the projects area as feasible based on suitability, and would require environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

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 Service Interest property within a ½ mile of either side of the proposed roadway improvement. 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 01/16/15. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

Sincerely,

Jennifer Hanley

JENNIFER HANLEY, PE

jh/ad

Enclosure

Ulteig

Engineering, Surveying, and Consulting Services

December 16, 2014

Advocacy Group Contact

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804.

The project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. There will be grading throughout the chosen corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site, including the existing roadway areas, will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include widening or replacing a bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is expected to be constructed during the 2016 construction season.

The project will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the roadway alignment. The estimated corridor width will be approximately 300 to 400 feet or more depending project topography, existing or proposed utility corridors that may run within the roadway corridor, and other factors. Right-of-way will not be acquired for the entire width of the study corridor. Borrow areas and wetland mitigation sites will be identified in the projects area as feasible based on suitability, and would require environmental clearance. Borrow areas may be located adjacent to the proposed right-of-way.

The purpose of this letter is to provide advanced notice of upcoming highway projects so you have sufficient time to share the information with your constituents and represent their interests. 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. We would appreciate being made aware of any social impacts we should consider for this proposed project.

Greater advanced notice will also encourage more participation of advocates and their constituents at upcoming Public Meetings. A Public Meeting for this project is tentatively scheduled for Spring 2015.

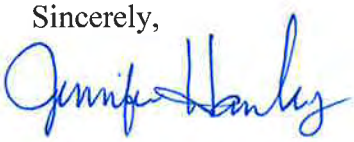
A follow up notice of the exact date, time, and location of the Public Meeting will be forwarded to you approximately 2 weeks prior to the Public Meeting. Additionally, Public Meetings are also advertised in local newspapers, press releases sent to local media, and new releases posted on the NDDOT website.

Any information or comments relating to social or other matters 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 01/16/15. If no reply is received by this date, it will be assumed that you have no comment on this project at this time.

If further information is desired regarding the proposed roadway improvement, please contact me at (701) 280-8582 or email: Jennifer.hanley@ulteig.com in Fargo, North Dakota.

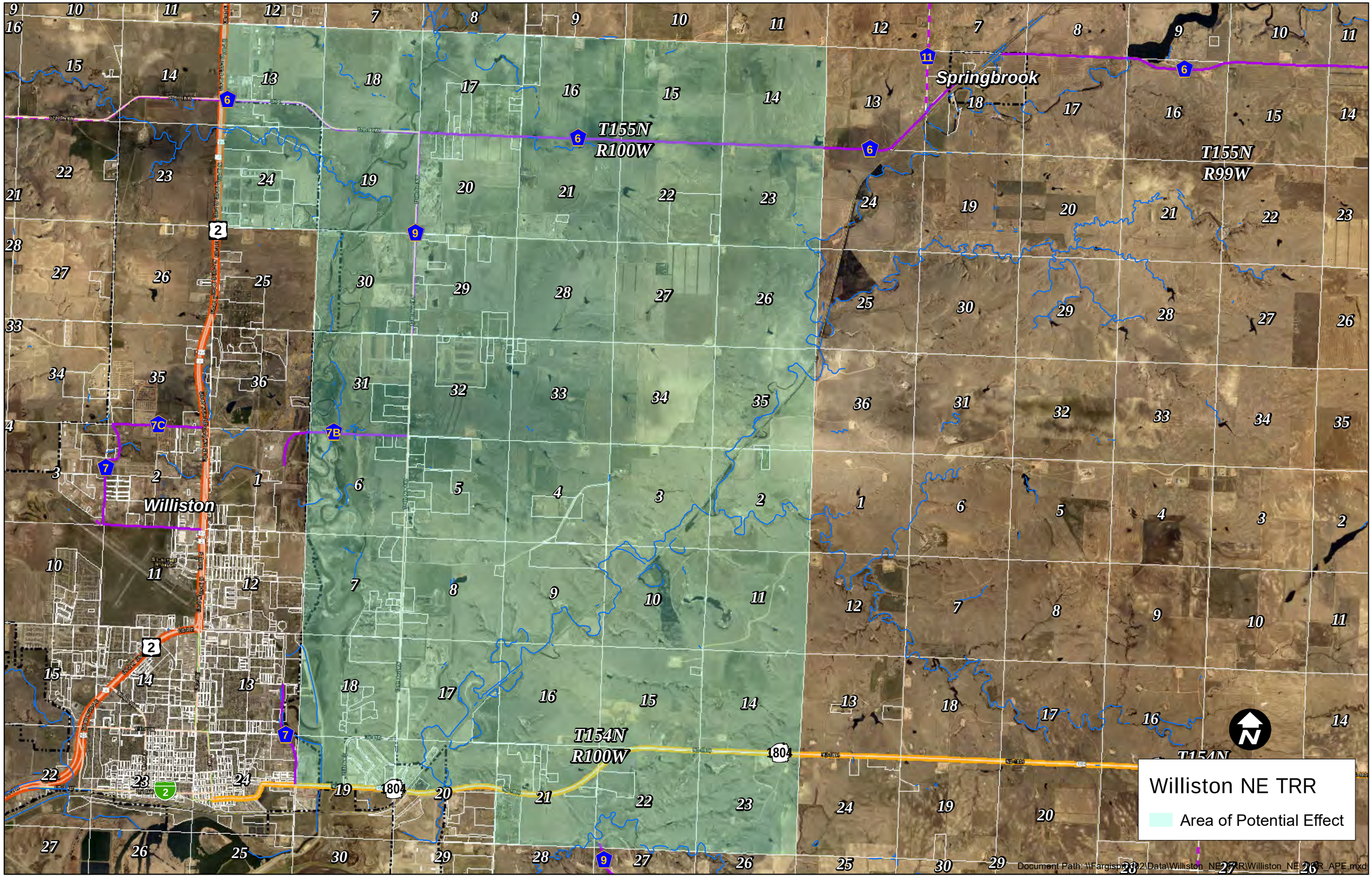
Sincerely,



JENNIFER HANLEY, PE

jh/ad

Enclosure


Williston NE TRR
Area of Potential Effect
Springbrook
Williston
T155N
R100W
T155N
R99W
T154N
R100W
T154N
N
Document Path: \\Fargisp02\Data\Williston_NE_TRR\Williston_NE_TRR_APE.mxd

PCN 20788 Williston NE TRR SOV LIST for Project Area Utility Companies - January 2019

CTitle	First	Last	Title	Department	Agency	Address	City	State	Zip
Mr	Dustin	Schultz			Advanced Engineering & Environmental S	1815 Schafer St, Ste 301	Bismarck	ND	58501
Mr.	Duey	Marthaller			Basin Electric Power Cooperative	1717 E Interstate Ave	Bismarck	ND	58503-0564
Mr.	Jeremy	Nelson			Belle Fourche Pipeline Co.	PO Drawer 2360	Casper	WY	82602
Mr.	Robert	Stamp			Belle Fourche Pipeline Co.	PO Drawer 2360	Casper	WY	82602
Mr.	John	Traeger			Cenex Pipeline LLC	803 Highway 212 South	Laurel	MT	59044
Mr.	David	Wicke		Public Works and Engineering	City of Williston Public Works & Engineer	PO Box 2437	Williston	ND	58802-2437
Sir	or Madam				ConocoPhillips - Burlington Resources Oi	PO Box 7500	Bartlesville	Oklahon	74004-7500
Sir	Dan	Flack			ConocoPhillips-Burlington Resources Oil &	3435 Mountain Pass Road, Billin	Billings MT.	MT	59102
Mr.	Reed	Dukart			Dakota Gasification Co.	420 County Road 26	Beulah	ND	58523
Mr.	Greg	Demme			Enbridge Pipelines, LLC	2505 16th St SW	Minot	ND	58701-6947
Mr.	Duane	Klabunde			Enbridge Pipelines, LLC	PO Box 701	Williston	ND	58801-0701
Mr.	Larry	Sabo			Encore Operating LP	2732 Highway 85 N	Alexander	ND	58831
Ms.	Sara	DiFonzo			Hiland Partners	3507 149th Ave NW	Alexander	ND	58831
Mr.	Kirk	Johnson			Landtech Enterprises	PO Box 1560	Sidney	MT	59270
Mr	Robert	Johnson			Midcontinent Communications	5030 Gateway Dr., Suite B	Grand Forks	ND	58203
Mr.	Brian	Cobb			Montana Dakota Utilities	PO Box 1406	Williston	ND	58802
Mr.	Dan	Hood			Montana Dakota Utilities	PO Box 1407	Dickinson	ND	58602
Mr.	John	Persteins			Montana Dakota Utilities	220 2nd Ave E	Williston	ND	58801
Mr.	Holly	Watts			Montana Dakota Utilities	400 N 4th St	Bismarck	ND	58501-4092
Mr.	Jacob	Zettel			Montana Dakota Utilities	PO Box 1407	Dickinson	ND	58602
Mr.	Darin	Swensrud			Mountrail-Williams Electric Cooperative	PO Box 1346	Williston	ND	58802
Mr.	Richard	Hood			Nemont Telephone Cooperative, Inc.	421 Main Street	Williston	ND	58801
Mr.	Phil	Brockmeier			Nemont Telephone Cooperative, Inc.	422 Main Street	Williston	ND	58802
Mr.	Ken	Miller		Land Department	Northern Border Pipeline Co.	13710 FNB Parkway Ste 300	Omaha	NE	68154
	Pat	Moskal			Northwest Communications Coop.	PO Box 38	Ray	ND	58849-0033
Mr.	Eric	Bayes	District Manager		Oasis Petroleum - 5437 137th Ave NW - W	5437 137th Ave NW	Williston	ND	58808
Mr.	Jake	Pennington			ONEOK Rockies Midstream	2700 Lincoln Ave SE	Sidney	MT	59270
Mr.	Greg	Jacobsen			Pecan Pipeline Co.	600 17th St, Ste 1100N	Denver	CO	80202
Mr.	Rodney	Krogh			Petro-Hunt (Little Knife Plant Office)	813 123rd Ave SW	Killdeer	ND	58640
Mr.	Dan	Holli			Plains All American Pipeline LP	PO Box 708	Belfield	ND	58622
Mr.	Ed	Shypkoski	District Manager		Plains All American Pipeline LP	PO Box 708	Belfield	ND	58622
Mr.	John	Waldeck			Plains All American Pipeline LP	333 Clay Street, Ste 1600	Houston	TX	77002
Mr.	David	Wait	Vice President Engineering		Saddle Butte Pipeline LLC	858 Main Ave, Ste 301	Durango	CO	81301
Mr.	Todd	Sando	State Engineer		State Water Commission	900 E Boulevard Ave	Bismarck	ND	58505-0850
Mr.	Duane	Haugen			Statoil (Brigham Oil & Gas)	14649 Brigham Drive	Williston	ND	58801
Mr.	Shawn	Rost			Targa Badlands LLC (Saddle Butte)	1504 6th Ave NE	Watford City	ND	58854
Mr.	Norm	Winter			Targa Badlands LLC (Saddle Butte)	1000 Louisiana St	Houston	TX	77002
Mr.	Paul	Beyer			Tesoro-High Plains Pipeline Co.	PO Box 342	Sidney	MT	59270
Mr.	Gary	Oversen			Tesoro-High Plains Pipeline Co.	PO Box 1207	Dickinson	ND	58601
Mr.	Delmar	Falcon	Manager		Trenton Rural Water Users	PO Box 236	Trenton	ND	58853
Mr.	Alfred	Slater	President		Trenton Rural Water Users	PO Box 236	Trenton	ND	58853
Mr.	Sean	King			True Cos (Belle Fourche Pipeline)	PO Box 2360	Casper	WY	82602
Ms.	Cristine	Hoferer			Upper Missouri G&T c/o HDR, Inc	2913 Millennium Circle	Billings	MT	59102
	Claire	Vigesaa			Upper Missouri Generation & Transmissi	Box 1069	Sidney	MT	59102
Mr.	Gerald	Paulson			US Department of Energy -WAPA	PO Box 1173	Bismarck	ND	58502-1173
Mr.	Keith	Seifert			WBI Energy	2010 Montana Ave	Glendive	MT	59330
Mr.	Gerald	Paulson			Western Area Power Administration	PO Box 1173	Bismarck	ND	58502-1173
Mr.	Al	Wood			Western Area Power Administration	PO Box 1173	Bismarck	ND	58502-1173
Mr.	Jaret	Wirtz	Executive Director		Western Area Water Supply Authority	PO Box 1306	Williston	ND	58802-1306
Mr.	Blaine	Hoffman			Whiting Oil and Gas Corporation	2020 Highway 85 SW	Fairfield	ND	58627
Mr.	Ben	Clarys	Assistant Manager		Williams Rural Water Association	PO Box 1285	Williston	ND	58802-1285
Mr.	Ray	Kordonowy			XTO Energy (Encore & Exxon Mobil)	PO Box 1589	Sidney	MT	59270
Ms.	Debra	Bell			Bridger Pipeline LLC.	P.O. Drawer 2360	Casper	WY	82602
Mr.	Steve	Meagher			Whiting Oil and Gas	4499 Highway 8	New Town	ND	58763

Ulteig

We listen. We solve.®

January 16, 2019

PROJECT NO. 7-804(053)900, PCN 20788

WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804

WILLIAMS COUNTY

Please be advised that the North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804. The project was initiated in 2014. Utilities were solicited for information in 2014. Since 2014, several concept corridors have been evaluated and 3 alignments have been carried forward in the Environmental Assessment (EA) including a preferred alignment (see attached project location map). We are currently in the draft phase of the EA.

The project consists of developing an EA, which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. The EA evaluates a 4-lane facility. There will be grading throughout the corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include a newly constructed bridge to replace the current bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is currently not funded, and a construction date has not been identified.

The design for this project is at a very preliminary stage and utility conflicts have not yet been determined. The intent is to design around utility facilities wherever possible, feasible, and within acceptable design standards to avoid relocation or adjustment of utilities without changing the scope of the project.

Our records indicate that you may have facilities within the project limits. Please review the attached preliminary information and respond to this letter stating if you have or don't have facilities within the project limits. If you have any facilities in this area, please send information to me along with any concerns or comments pertaining to the project so they may be incorporated into the project. In addition, please send the contact information for you company.

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Additional Contact information for this project are as follows:
Designer: Josh Kueber, Ulteig, 701-280-8542

NDDOT Technical Representative: Wayne Zacher, 701-328-4828

Planned NDDOT projects can be found on the Statewide Transportation Improvement Program (STIP) on the NDDOT website at http://www.dot.nd.gov/ under the "Manuals and Publications" link.

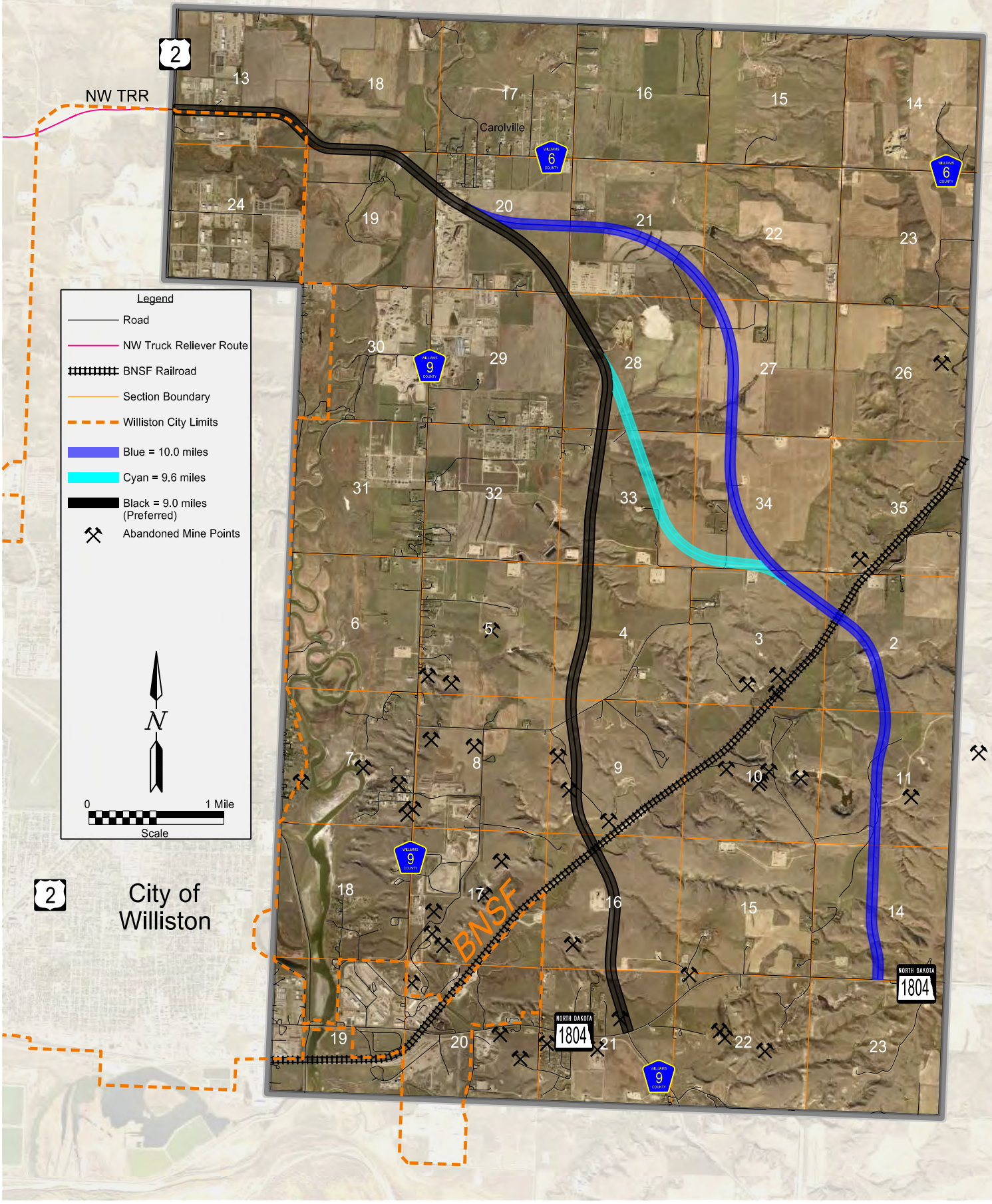
Please send me any comments or concerns you may have regarding the project to the address below.

Jennifer Hanley, PE
Ulteig Engineers, Inc.
3350 38th Ave S, Fargo, ND 58104
701-280-8582
jennifer.hanley@ulteig.com

Attachments:

- Project Study Area Map

Potential Williston Northeast TRR Alternatives



Appendix I

Solicitation of Views Comment Responses

WBI Energy (December 2, 2014)
Montana Dakota Utilities (December 18, 2014)
ND State Water Commission (December 22, 2014)
ND Geological Survey (December 24, 2014 & January 8, 2015)
USDA – NRCS (December 29, 2014)
US Fish & Wildlife Service (December 29, 2014)
Mountrail-Williams Electric Cooperative (January 5, 2015)
Nemont Telephone Cooperative, Inc. (January 7, 2015)
US Army Corps of Engineers (January 12, 2015 and February 17, 2015)
ND Game & Fish Department (January 13, 2015)
Plains All American Pipeline LP (January 13, 2015)
City of Williston (January 16, 2015)
US Senator Heidi Heitkamp (January 16, 2015)
Enbridge Pipelines, LLC (January 27, 2015)
NDIC, DMR, Oil and Gas Div. (January 30, 2015)
Hiland Partners (February 4, 2015)
ND Department of Health (June 26, 2018)
Northwest Communications Co-Op (January 18, 2019)
Trenton Water Users (January 18, 2019)
Western Area Power Administration (January 18, 2019)
Montana-Dakota Utilities (January 22, 2019)
Western Area Power Administration (January 22, 2019)
Basin Electric Power Cooperative (January 22, 2019)
Midco (January 24, 2019)
Cenex Harvest States, Inc. (January 25, 2019)
City of Williston (January 30, 2019)
North Dakota State Water Commission (February 6, 2019)
Williams County (April 18, 2019)

List of Solicitation of Views Responses

Federal

US Department of Agriculture, Natural Resources Conservation Service
US Department of the Army, Corps of Engineers, Omaha District Office
US Fish and Wildlife Service – Crosby Wetland Management District US Senate – US Senator Heidi Heitkamp

State

North Dakota Department of Health
North Dakota Game and Fish Department
North Dakota Geological Survey
North Dakota Industrial Commission
North Dakota State Water Commission

Local

City of Williston
Enbridge Pipelines, LLC.
Hiland Partners
Montana-Dakota Utilities Co.
Mountrail-Williams Electric Cooperative
Nemont Telephone Cooperative, Inc.
Plains All American Pipeline LP
WBI Energy Transmission, Inc.
Northwest Communications Co-Op
Trenton Water Users
Western Area Power Administration
Midcontinent Communications (Midco)
Cenex Harvest States Inc.
Western Area Water Supply Authority (WAWSA)
Targa Badlands LLC
Williams County

Summary of SOV Comments from SOV Mailing

Williams County; Williston NE Truck Reliever Route – US 2 to ND 1804
Draft Environmental Assessment
7-804(053)900/PCN 20788

ID	Entity	Date of Comment	SOV Comment	Response
A1	WBI Energy	12/2/2014	Compressor station in the SE1/4 of the SW1/4 of section 20 T154N R101W. Attached a map showing the approximate location of our 12" high pressure natural gas pipeline. Please let us know of any changes or proposed routes of this project.	WBI Energy and other utilities will be contacted and coordinated with prior to final design and construction of the project.
B1	Montana Dakota Utilities	12/18/2014	MDU owns an electric Transmission Substation that has a 2-pole, 115kV transmission line currently serving it. In addition, MDU has plans to construct a new double circuit 60kV transmission line that will run from the above Transmission Substation to the southeast cover of Williston in 2015. The entirety of this new line is also in the "Area of Potential Effect." Contact MDU's Electric Distribution or Gas facilities for additional information regarding utilities.	Montana Dakota Utilities and other utilities will be contacted and coordinated with prior to final design and construction of the project.
C1	ND State Water Commission	12/22/2014	There are floodplains identified and/or mapped where this proposed project is to take place. The areas are designated as Zone A. North Dakota has no formal 'permitting' authority as a state entity in National Flood Insurance Program (NFIP) identified floodplain areas. The permitting is always done by the local entity, which has jurisdiction in the area in question. Please work closely with the local Floodplain Administrator. The Floodplain Administrator is James Leahy or Bill Tracy; PO Box 1306; Williston, ND 58802; 701-577-2081. The NFIP map used to make this determination is: Panels# 3803190040D, Date 8/5/10.	The local floodplain coordinator for Williams County was consulted and information was included in the EA Section 3.5 – Floodplains.

ID	Entity	Date of Comment	SOV Comment	Response
C2	ND State Water Commission	12/22/2014	There is Western Area Water Supply project infrastructure located in the project area. Please contact the Western Area Water Authority at 701-774-6605 for infrastructure location.	The location of known infrastructure was included in the EA.
C3			The ND State Water Commission (Commission) maintains a network of observation/monitor water wells throughout the state, and many are located close to public right-of-ways. The well location information can be obtained from the Commission's website at: http://www.swc.state.nd.us/4dlink9/4dcgi/redirect/index.html; then click on "Map and Data Resources"; and then click on "Map Services" (http://mapservice.swc.nd.gov/). If water wells may be affected by your project or accidently damaged, please contact the Water Appropriations Division of the Commission at 701-328-2754. A map is enclosed.	The Commission information was reviewed and used for evaluating potential impacts from the project.
C4			A drain permit may be needed from the State Engineer for the project. Please contact Dwight Comfort at 701-328-4960 to discuss permit requirements.	The drain permit was included in the EA list of potential permits (see EA Section 4.2.1, Table 4-1).
C5			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.	A list of permits potentially required for project construction is included in EA Section 4.2.1, Table 4-1.
C6			All waste material associated with the project must be disposed of properly and not placed in identified floodway areas	EA Section 3.16 – Regulated Materials and Section 3.19 – Construction discussed the proper disposal of waste materials.
C7			No sole-source aquifers have been designated in ND.	Comment noted.

ID	Entity	Date of Comment	SOV Comment	Response
D1	ND Geological Survey	12/24/2014	The majority of the project study area is located in areas where previous and recent geologic mapping has identified deposits of alluvium and glacially derived sediments overlying sedimentary bedrock of the Sentinel Butte Formation which also outcrops in areas principally along the Stony Creek and Crazyman Coulee. The glacially derived sediments include till, slope washed till, and glaciolacustrine and glaciofluvial deposits. The Little Muddy River and associated floodplains are located along the western portion of the study area. Significant portions of the floodplain are mapped as wetlands and portions are also under the jurisdiction of the US Army Corps of Engineers. These areas are frequently flooded and it can be anticipated that soft and/or wet subsoil will be encountered that may present construction difficulties and/or frequent maintenance. Similar conditions may exist where intermittent sloughs ("prairie potholes") occur across the study area. Special design and construction considerations may be required should the route traverse these areas.	A geotechnical study will be completed prior to final design and construction, which will further identify soil and geologic conditions in the preferred alternative corridor and adjacent areas. The information gathered from this study and other data will be used for project design and engineering.
D2			Landslides have been mapped by the North Dakota Geological Survey (Murphy, 2012, https://www.drnr.nd.gov/ndgs/landslides/Williston/24k/wlst_el.pdf). The landslides and slump features are generally located in areas with steep slopes particularly along the Stony Creek drainage channel and the Crazyman Coulee and are quite frequent where the Sentinel Butte Formation is exposed. These can be induced by placing loads too close to the slopes and/or by the addition of moisture that may result from such things as drainage coming off of paved roads.	A geotechnical study will be completed prior to final design and construction, which will further identify soil and geologic conditions in the preferred alternative corridor and adjacent areas. The information gathered from this study and other data will be used for project design and engineering.

ID	Entity	Date of Comment	SOV Comment	Response
D3	ND Geological Survey	12/24/2015	We would be happy to review and comment again on the project in the future as routes and plans become more focused.	Two public input meetings were held during the development of the EA. An agency and public comment period for the Draft EA will be held during the environmental review process.
D4		1/8/2015	7-804(053 0900, PCN 20788 Williston NE Truck reliever route- US 2 to NO 1804 Williams County No fossil sites have been identified in any of the tracts listed. It is unlikely that paleontological sites will be encountered in the Williams County tracts because those areas are covered with generally unfossiliferous glacial deposits.	Commented noted.
E1	US Department of Agriculture - NRCS	12/29/2014	NRCS has a major responsibility with the FPPA in documenting conversion of farmland (i.e., prime, statewide importance and local importance) to non-agriculture use when the project utilizes federal funds. FPPA may apply to any portion of your project outside current road right-of-ways and city limits. Please complete the form AD-1006 for all areas outside the current road right-of-way and city limits. (See instructions below) I will forward all information you provided to Jon Stika, Soil Scientist, NRCS Area Office, Dickinson, North Dakota.	USDA NRCS Form AD-1006 was completed for each of the Build Alternatives. Copies of this form is provided in EA Appendix D. Additionally, potential impacts from the project to farmland is discussed in EA Section 3.3.

ID	Entity	Date of Comment	SOV Comment	Response
E2	US Department of Agriculture - NRCS	12/29/2014	Enclosed is a Farmland Conversion Impact Rating Form AD-1006 or you may utilize a fillable web-based form at http://www.nrcs.u da.gov/Programs/fppa/pdf fil ./AD1006.PDF to record the following. Please complete Parts I and III for those areas outside the current road right-of-way and city limits and return to Jon Stika, Soil Scientist, 135 Sims Street, Suite 210, Dickinson, North Dakota 5 8601. If applicable, you may email the above information to jon.stika@nd.usda.gov If the farmland (i.e., Prime Farmland, Statewide Importance, Local Importance) is determined to be subject to the FPPA, he will then complete Parts II and IV. NRCS will measure the relative value of the site as farmland on a scale of O to 100 according to the information sources listed in CFR 658.5(a). If FPPA applies to this site, Form AD-1 006 will be returned to your agency for completion of Part VI, Site Assessment Criteria.	USDA NRCS Form AD-1006 was completed for each of the Build Alternatives. Copies of this form is provided in EA Appendix D. Additionally, potential impacts from the project to farmland is discussed in EA Section 3.3.
E3			NRCS is monitoring Farmland Conversion Impact Ratings (form AD-1 006, form AD-1006) and are concerned with how some of the forms are being completed, particularly Part IV - Site Assessment Criteria, which is being scored below 60 points. As a general rule, if FPPA applies and the site is in agricultural production, rarely would it be appropriate for it to have a score of less than 60 points. If you have question concerning the Farmland Conversion Impact Ratings or assessment factors, please contact Steve Sieler, State Soil Liaison, NRCS, Bismarck, ND (701-530-2019).	Completion of Form AD-1006 was coordinated through Steve Sieler at NRCS (see EA Appendix D for copies of these forms).

ID	Entity	Date of Comment	SOV Comment	Response
E4	US Department of Agriculture - NRCS	12/29/2014	The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose, or to have the effect of making agricultural production possible, loss of USDA benefits could occur. You are anticipating construction outside of the right-of-way where wetland impacts may occur that could make production possible. The NRCS has developed the following guidelines to help avoid impacts to wetlands and possible loss of USDA benefits for producers. If these guidelines are followed, the impacts to the wetland will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements: ~ Disturbance to the wetland must be temporary. ~ No drainage of wetland is allowed (temporary or permanent). ~ Mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained. ~ Temporary side cast material must be placed in such a manner not to be dispersed in the wetland. ~ All trenches in a wetland must be backfilled to the original elevation. NRCS would recommend that impacts to wetland be avoided.	Right-of-way for the project will include the entire Build Alternative corridor, approximately 400 feet wide. Impacts to wetlands were avoided as feasible but are anticipated to only occur within the right-of-way corridor. Mitigation for wetland impacts will be completed per NDDOT and USACE regulations with consideration for NRCS requirements as needed to maintain producer's USDA benefits.
F1	US Fish and Wildlife Service	12/29/2014	No USFWS land interests within Project Area.	Comment noted.
G1	Mountrail-Williams Electric Cooperative	1/5/2015	Multiple utility lines in the area, including: 1) overhead transmission, 2) overhead distribution, and 3) underground distribution. Please contact when corridor is narrowed.	Mountrail-Williams Electric Cooperative and other utilities will be contacted and coordinated with prior to final design and construction of the project.

ID	Entity	Date of Comment	SOV Comment	Response
H1	Nemont Telephone Cooperative, Inc.	1/7/2015	Nemont Telephone has copper and fiber facilities along Hwy 9 and Hwy 6. Nemont also has facilities throughout the rest of the highlighted area on the project map, but the further the alignment is located to the east the fewer impacts there will be on Nemonts facilities.	Nemont Telephone Cooperative, Inc. and other utilities will be contacted and coordinated with prior to final design and construction of the project.
I1	US Army Corps of Engineers	1/12/2015	We are in the process of responding to your letter; however, the response will not be ready by the requested suspense date.	Comments will continue to be gathered and considered as they are received until the environmental review on the project is completed.
I2			The Corps is currently working with FHWA, who is working with the NDDOT, to formulate a path forward regarding highway improvements in the area as well as determine the appropriate level of NEPA compliance as the potential area of effect includes property owned by the federal government that is managed by the Corps.	USACE lands, Section 408 and Section 4(f) have been addressed in the EA, which was developed under the NEPA process.

ID	Entity	Date of Comment	SOV Comment	Response
I3	US Army Corps of Engineers	2/17/2015	The U.S. Army Corps of Engineers (Corps), Omaha District and Garrison Dam and Lake Sakakawea Project has reviewed your letter regarding the preparation of an Environmental Assessment to assess impacts of the proposed Highway 1804 improvements in Williams and Mountrail Counties, North Dakota. Currently, the Corps is working with the North Dakota Department of Transportation and their partners and representatives to comply with the National Environmental Policy Act. As such, we are not providing specific comments via this letter response and encourage the project proponents to continue coordination with the following staff at the Corps. John Shelman - Environmental Resource Specialist - Corps Omaha District Phone: (402) 995-2708 Email: Johnathan.A.Shelman@usace.army.mil Garth Zimbleman - Natural Resource Specialist - Corps Garrison Dam and Lake Sakakawea Project Phone: (701) 654-7707 Email: Garth.A.Zimbleman@usace.army.mil	USACE staff were contacted and coordinated with a number of times during the development of the EA. Additionally, USACE lands, Section 408 and Section 4(f) have been addressed in the EA, which was developed under the NEPA process. Wetland impacts and mitigation have also been identified to address Section 404.
J1	ND Game & Fish Department	1/13/2015	We request that work not take place within the Little Muddy River, a Classified fishery, between April 15 and June 1 to protect the resource during the spawning period.	Avoiding construction in the Little Muddy River during the spawning period have been added to the Environmental Commitments for the project (see EA Section 4.2.2, Table 4-2).

ID	Entity	Date of Comment	SOV Comment	Response
J2	ND Game & Fish Department	1/13/2015	We ask that steps be taken to prevent construction debris from entering the waterway, and any disruption or displacement of the streambed and banks other than the planned alterations be restored to preproject conditions.	Minimizing construction impacts to the waterway and restoration of the streambank have been added to the Environmental Commitments for the project (see EA Section 4.2.2, Table 4-2).
J3			Structures should not act as a barrier to the movement of fish and other aquatic organisms in the stream channel under any flow conditions.	NDDOT Stream Diversion Special Provision for Temporary Water Diversion would be followed for the project as an Environmental Commitment for the project (see EA Section 4.2.2, Table 4-2).
J4			Where box culverts are used, we recommend the invert elevation of the structure and any associated riprap be countersunk approximately one foot below the existing grade of the stream bed to allow sediments to accumulate and provide adequate substrate and water depth to maintain the stream continuum.	No box culverts will be used for the project. However, if the design changes and box culverts are needed, NDGF and USACE recommendations and permitting requirements will be implemented as required and feasible. Consultation with the agencies will occur as needed.

ID	Entity	Date of Comment	SOV Comment	Response
J5	ND Game & Fish Department	1/13/2015	If a multiple box culvert is used and the elevation differential over the length of the culvert is 6 inches or greater, additional consultation with the NDGF is requested.	No box culverts will be used for the project. However, if the design changes and box culverts are needed, NDGF and USACE recommendations and permitting requirements will be implemented as required and feasible. Consultation with the agencies will occur as needed.
J6			We recommend that bridge projects be modified to facilitate wildlife crossing through the bridge structure to reduce the potential for wildlife-vehicle collisions. Such crossings provide improved habitat connectivity for wildlife while reducing vehicle repair costs, human injuries and fatalities, animal loss and numerous secondary impacts.	There is one new bridge proposed for the project, occurring over the Little Muddy River. NDGF recommendations to design bridges to facilitate wildlife crossing will be considered and implemented as feasible.
J7			Aquatic nuisance species (ANS) are a major concern in North Dakota. State law requires that the contractor, including any and all subcontractors involved in this project, take appropriate precautions to prevent the introduction or movement of ANS within the state. The contractor should provide the department a reasonable opportunity to inspect any equipment prior to these items being launched or placed into waters of the state. The Department's Aquatic Nuisance Species Coordinator, Mr. Fred Ryckman, can be contacted at 701-770-0920 for equipment inspections or additional information regarding ANS prevention protocols.	Two Environmental Commitments for the project were added addressing ANS (see EA Section 4.2.2, Table 4-2).

ID	Entity	Date of Comment	SOV Comment	Response
J8	ND Game & Fish Department	1/13/2015	The National Wetland Inventory indicates a variety of wetlands within the proposed project area. We recommend that any unavoidable destruction of wetland acres be mitigated in kind, erosion control measures be implemented to minimize sedimentation, and disturbed areas be seeded with suitable native grass and forb species where appropriate.	EA Section 4.2.2, Table 4-2 identifies Environmental Commitments 1 and 2 that address wetland impacts and mitigation.
K1	Plains All American Pipeline LP	1/13/2015	Plains Pipeline LP does own and operate a retired 4" steel line that is part of our Trenton Gathering System and it traverses through the center of your area of potential interest. The line has been out of service for a number of years and the nearest proximity to your proposed highway project is approximately 1600 feet at the south end of your area of interest boundary; which may not have any impact on your design requirements. Please see attached vicinity map. I have cc'd Ed Shypkoski, our operations District Manager, and Dan Holli, our Environmental Health and Safety Compliance specialist, to permit them to respond with any concerns or comments regarding this proposed improvement project. Any further communication regarding any potential impacts to our assets in this area should be directed toward Mr. Shypkoski and Mr. Holli.	Plains All American Pipeline LP and other utilities will be contacted and coordinated with prior to final design and construction of the project.
K2	Plains All American Pipeline LP	1/13/2015	Prior to commencement of any proposed construction activity, you or the appointed contractor will need to contact North Dakota 811, Call Before You Dig, to permit our field personnel to accurately mark the affected pipeline.	Contractors will be required to complete preconstruction utility locate calls.
L1	City of Williston	1/16/2015	The City of Williston supports the proposed project.	Comment noted

ID	Entity	Date of Comment	SOV Comment	Response
L2	City of Williston	1/16/2015	The City of Williston believes that the project should consist of a 4-lane highway with a center left turn lane and right turn lanes at all access points.	Turn lanes would be located at each access point. EA Chapter 2 – Alternatives and Section 2.2 – Description of Proposed Alternatives provides information on the alternatives evaluated in the EA, including a 4-lane highway.
L3			The City of Williston believes that the project should include the 4-laning of ND State Highway 1804 from the City going east to its intersection with the proposed East Truck Bypass.	NDDOT, the City of Williston and Williams County have been in contact regarding the preferred alternative for the project and other roadway projects in the area. EA Chapter 2 provides a discussion of this coordination and alternatives.
L4			The City of Williston would reserve the right to provide additional comments once the alignment of the proposed East Truck Bypass has been determined.	NDDOT, the City of Williston and Williams County have been in contact regarding the preferred alternative for the project and other roadway projects in the area. EA Chapter 2 provides a discussion of this coordination and alternatives.

ID	Entity	Date of Comment	SOV Comment	Response
M1	US Senator Heidi Heitkamp	1/16/2015	I strongly support efforts to expand existing infrastructure in communities impacted by the energy development in North Dakota such as the Williston northeast truck reliever route - to alleviate traffic congestion and improve safety. Please know that I will continue working with communities like Williston to improve and expand their infrastructure.	Comment noted.
N1	Enbridge Pipelines, LLC	1/27/2015	Based on that map (Area of Potential Effect), we do not have any facilities that would be affected, but please go ahead and send us a map with a preliminary corridor when you have it, and I will re-verify at that time.	Enbridge and other utilities will be contacted and coordinated with prior to final design and construction of the project.
O1	ND Industrial Commission	1/30/2015	Please let me know when Ulteig has a preferred route. We don't have any applications in the bypass area at this time.	The preferred alternative is presented and discussed in EA Chapter 2 – Alternatives and Section 2.2 – Description of Proposed Alternatives.
P1	Hiland Partners	2/4/2015	Hiland Partners submitted shapefiles for the locations of high pressure gas line in area.	Shapefiles were used in determining potential impacts to utilities.
Q1	North Dakota Department of Health	6/26/2018	Care should be taken during construction activity near any water of the state to minimize adverse effects on a water body. Guidelines for minimizing degradation to waterways during construction were attached to the comment letter.	Section 3.11 – Water Quality and Section 3.19 – Construction address potential impacts to water bodies, stormwater runoff, and issues of water quality.

ID	Entity	Date of Comment	SOV Comment	Response
Q2	North Dakota Department of Health	6/26/2018	Project 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 is available from NDDoH Division of Water Quality. Check with the local officials to address any local storm water management considerations. Extra care should be taken to ensure construction activity does not affect the Little Muddy River, a 303(d) listed water body.	Section 3.11 – Water Quality and Section 3.19 – Construction address potential impacts to water bodies, stormwater runoff, and issues of water quality.
Q3			The proposed project overlies the Little Muddy and Yellowstone River Channel glacial drift aquifers. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to NDDoH and appropriate remedial actions performed.	Section 3.11 – Water Quality and Section 3.19 – Construction address potential impacts to water bodies, stormwater runoff, and issues of water quality.
Q4			NDDoH owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area.	Comment noted.
Q5			The proposed activities are consistent with the State Implementation Plan for Control of Air Pollution for the State of ND.	Comment noted.
Q6			USACE may require water quality certification from NDDoH for the project if the project is subject to the USACE Section 404 permitting process.	Comment noted.
R1	Northwest Communications Co-Op	1/18/2019	Northwest Communications Co-Op does not have any utilities that would conflict with the proposed project, however NCC runs north to south in the north/east bound DOT ROW near Williams County #6.	Comment noted.
S1	Trenton Water Users	1/18/2019	Trenton Water Users does not have any utilities east of Williston, ND.	Comment noted.

ID	Entity	Date of Comment	SOV Comment	Response
T1	Western Area Power Administration	1/18/2019	WAPA does not have facilities east of Williston, ND.	Comment noted.
U1	Montana-Dakota Utilities	1/22/2019	MDU has facilities located in Sections 13 and 19 in the vicinity of the current road. MDU has distribution lines in the ROW; two on County 6 and one on County 9, which would be in conflict of with this project.	Comment noted. A data agreement with MDU was signed on 1/24/2019 to identify the exact locations of conflict.
V1	Western Area Power Administration	1/22/2019	WAPA does not have any facilities in the project area.	Comment noted.
W1	Basin Electric Power Cooperative	1/22/2019	Basin Electric does not have any facilities in the project area.	Comment noted.
X1	Midcontinent Communications (Midco)	1/24/2019	Midco has fiber optic cables on the south side of 57th Street NW. Map attached.	Comment noted.
Y1	Cenex Harvest States, Inc.	1/25/2019	Cenex Pipeline does not have any infrastructure in the project area but is in the process of building a new pipeline about 8,000 feet north of the project area.	Comment noted.
Z1	City of Williston	1/30/2019	A stormwater culvert is located under the drive approach of the Loves Truck Stop, south of 57th Street, as well as an inlet storm water line.	Comment noted.
Z2			A sanitary sewer is located at the intersection of Loves Way and 5th Street which is a 10” PVC line, 10’ below ground surface (exact location, depth, and materials need to be verified).	Comment noted.

ID	Entity	Date of Comment	SOV Comment	Response
Z3	City of Williston	1/30/2019	A water main line is located at the intersection of Loves Way and 5th Street which is a 12" PVC line, about 8 to 9 feet below the ground surface (exact location, depth, and materials need to be verified). Another water main line exists just south of the 57th Street ROW and goes to the east for future development of the Camp Creek Industrial Park.	Comment noted.
Z4			Two access points into the Camp Creek Industrial Park but need to be re-established to allow entry from Camp Drive.	Comment noted.
AA1	North Dakota State Water Commission	2/6/2019	Initial review indicates no conflict with the State Water Commission hydrologic monitoring sites.	Comment noted.
AA2			Through the National Flood Insurance Program (NFIP), a floodplain permit is required for all development that takes place within a Special Flood Hazard Area, as identified by FEMA. The minimum NFIP requirements can be found in Chapter 44 of the Code of Federal Regulations (mostly within Parts 59 and 60). Please work with the local floodplain administrators for additional information and permit requirements. The floodplain administrator in Williams County is Sam Henderson, Senior Planner, 701-577-4565. The floodplain administrator for the City of Williston is Richard Kimball, Building Inspector, 701-577-8115.	Section 3.5 – Floodplains discusses potential impacts to floodplains. As part of the environmental review process the floodplain administrators for City of Williston and Williams County were both contacted. This correspondence has been incorporated into the EA and included in Appendix I.

ID	Entity	Date of Comment	SOV Comment	Response
AA3	North Dakota State Water Commission	2/6/2019	The office of the State Engineer (OSE) Engineering and Permitting Section reviewed the proposed project routed and determined that the proposed project route could traverse over or through surface water resources. The OSE requests to be notified regarding the proposed project's impacts, if any, to water resources such as watercourses, agricultural drains, and wetlands, as any alterations, modifications, improvement, or impacts to those water resources may require drainage permit(s) or a construction permit from the OSE. For further information on the OSE permitting requirements, please visit the Regulation & Appropriation tab on the OSE's website (swc.nd.gov). Please contact Brian Mager: bmager@nd.gov or 701-328-4967.	Table 4-1 – List of permits needed identifies the need for obtaining a drain permit, as-needed. OSE would be contacted to determine appropriate permitting for the project.
BB1	Western Area Water Supply Authority (WAWSA)	3/19/2019	Based on the preliminary routes, it seems there will be little (if any) effect on WAWSA infrastructure. Also provided a link to access electronic data for infrastructure that WAWSA manages.	Comment noted.
BB2			Please note the Northwest Rural Water District (NWRWD) has a great deal of pipelines and facilities in the project area.	Comment noted.
CC1	Targa Badlands LLC	3/21/2019	Targa does not currently have any facilities in Township 155 North, Range 100 West or Township 154 North, Range 100 West in Williams County, ND.	Comment noted.
DD1	Williams County	4/18/2019	There is no FEMA floodplain along the proposed routes in the County's jurisdiction. Because there is no FEMA floodplain, a floodplain development permit from Williams County would not normally be required for development.	Comment noted and information included in Section 3.5 of the EA.
DD2			If there are engineering studies done on any of the coulees or named tributaries to the Little Muddy or Missouri Rivers in the project area or for example studies by the US Army Corps of Engineers for the bypass project, etc., that establish a floodway or floodplain, then a floodplain development permit would be required from the county.	Comment noted.

Comment Letter A

From: Jennifer Hanley
To: Josh Kueber; Amy J. Denz
Subject: FW: Project 7-804(053)900 PCN 20788
Date: Tuesday, December 02, 2014 4:19:21 PM
Attachments: Williston Plant Area.pdf

FYI

Jennifer Hanley, PE
Environmental Specialist
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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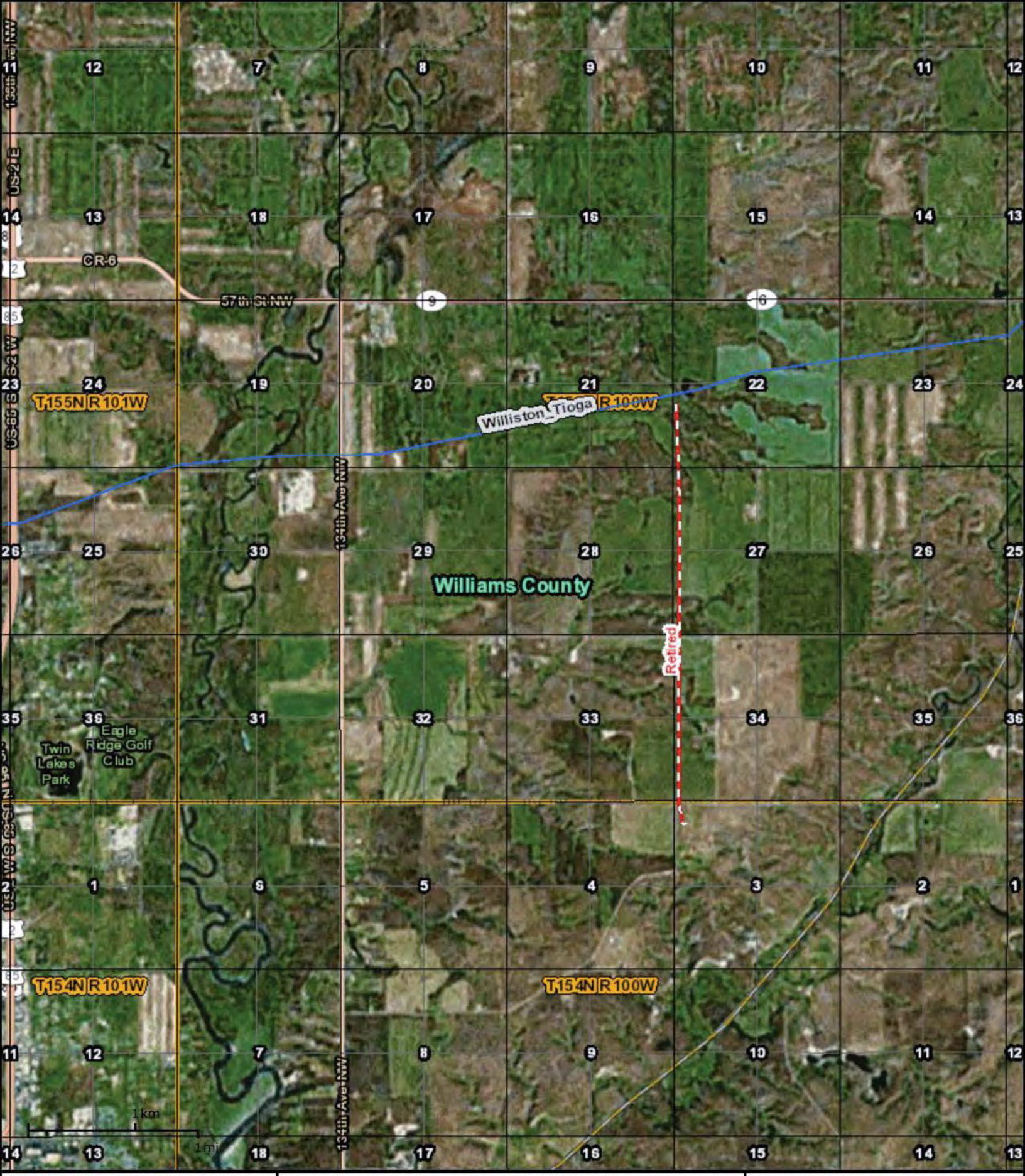
From: Nielsen, Wade [mailto:Wade.Nielsen@WBIEnergy.com]
Sent: Tuesday, December 02, 2014 4:17 PM
To: Jennifer Hanley
Cc: Ryan, Patrick
Subject: Project 7-804(053)900 PCN 20788

Jennifer,

Thank you for the notification of your proposed project.

1 WBI Energy owns and operates a compressor station in the SE1/4 of the SW1/4 of section 20 T154N R101W. I have also attached a map showing the approximate location of our 12" high pressure natural gas pipeline. Please let us know of any changes or proposed routes of this project. Thanks

Wade Nielsen
WBI Energy Transmission
2010 Montana Ave | Glendive, MT 59330
Ph :406-359-7207 | Cell:406-989-1034



DISCLAIMER: The company makes no representations, warranties or guarantees as to the accuracy and completeness of the enclosed information or data, and is not responsible for any errors or omissions concerning the content and positional accuracy of such information and data.

Map Description

WBI ENERGY TRANSMISSION
An MDU Resources Group company

Williston Plant Area

Printed: 12/2/2014

Scale: 1 : 45767

Comment Letter B

From: Jennifer Hanley
To: Josh Kueber
Cc: Adam Schoenherr; Steve Windish; Amy J. Denz
Subject: FW: NDDOT Project No. 7-804(053)900, PCN 20788
Date: Thursday, December 18, 2014 1:55:17 PM
Attachments: MDU Facilities - 2014-12-18.pdf
MDU Facilities To Be Constructed - 2014-12-18.pdf
Ulteig Letter for NE Truck Route - 2014-12-18.pdf

FYI

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Environmental Specialist
3350 38th Avenue South • Fargo, ND 58104
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From: Watts, Holly [mailto:holly.watts@mdu.com]
Sent: Thursday, December 18, 2014 1:16 PM
To: Jennifer Hanley
Cc: Bieber, Matthew; Frank, Robert; Biederstedt, Dennis; Zettel, Jacob; Riely, Paul
Subject: NDDOT Project No. 7-804(053)900, PCN 20788

Jennifer,

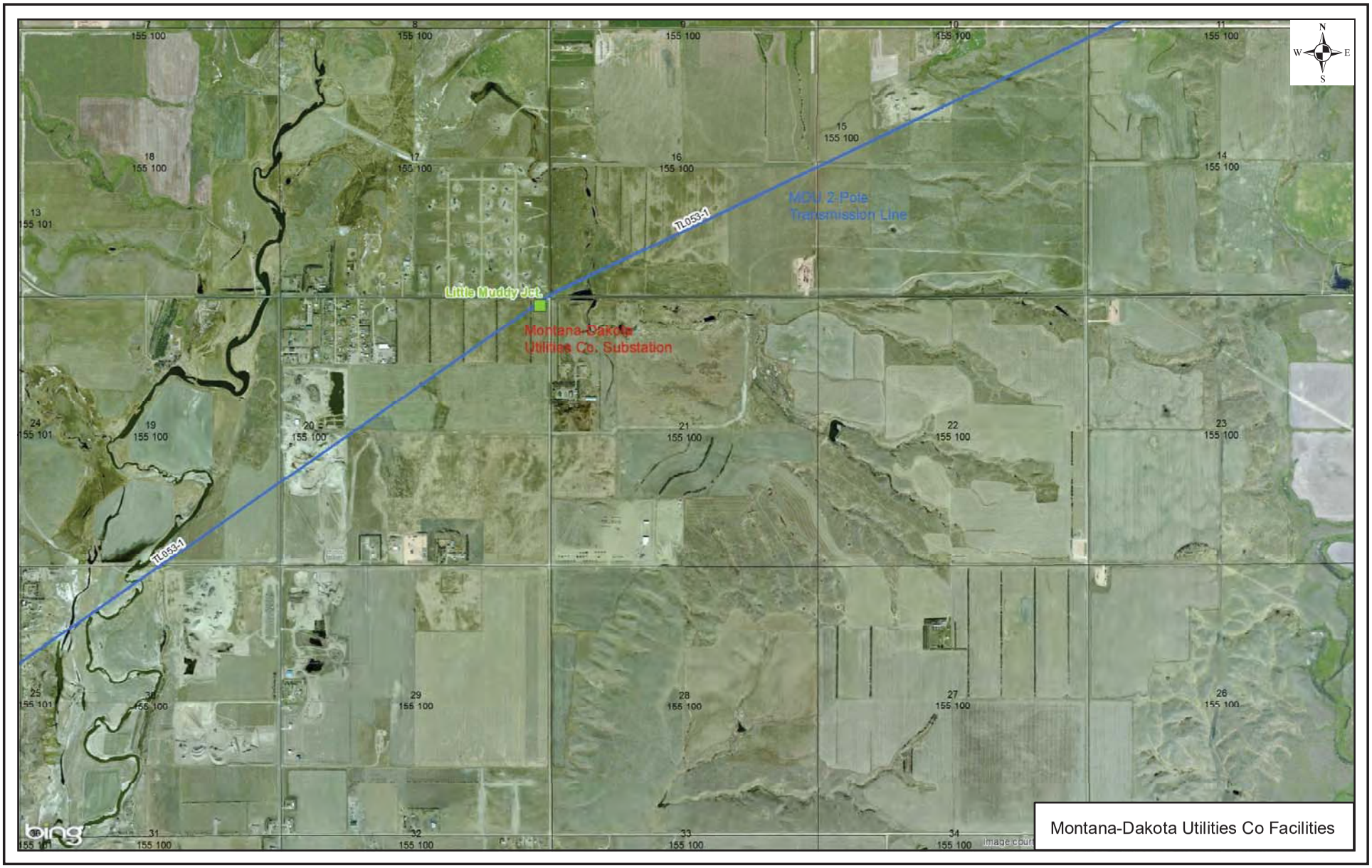
I received the attached letter today. Per your request, I have attached a couple of maps showing Montana-Dakota Utilities Co's electric transmission line facilities in the "Area of Potential Effect" noted on your aerial map.

1 MDU owns an electric Transmission Substation that has a 2-pole, 115kV transmission line currently serving it. In addition, MDU has plans to construct a new double circuit 60kV transmission line that will run from the above noted Transmission Substation to the southeast corner of Williston in 2015. The entirety of this new line is also in the "Area of Potential Effect"; MDU has acquired all the necessary easements, designed the line and has ordered material for this project, including self supporting steel poles and are in the process of designing the foundations for these steel poles, as well as putting the construction contract information together to go out for bid.

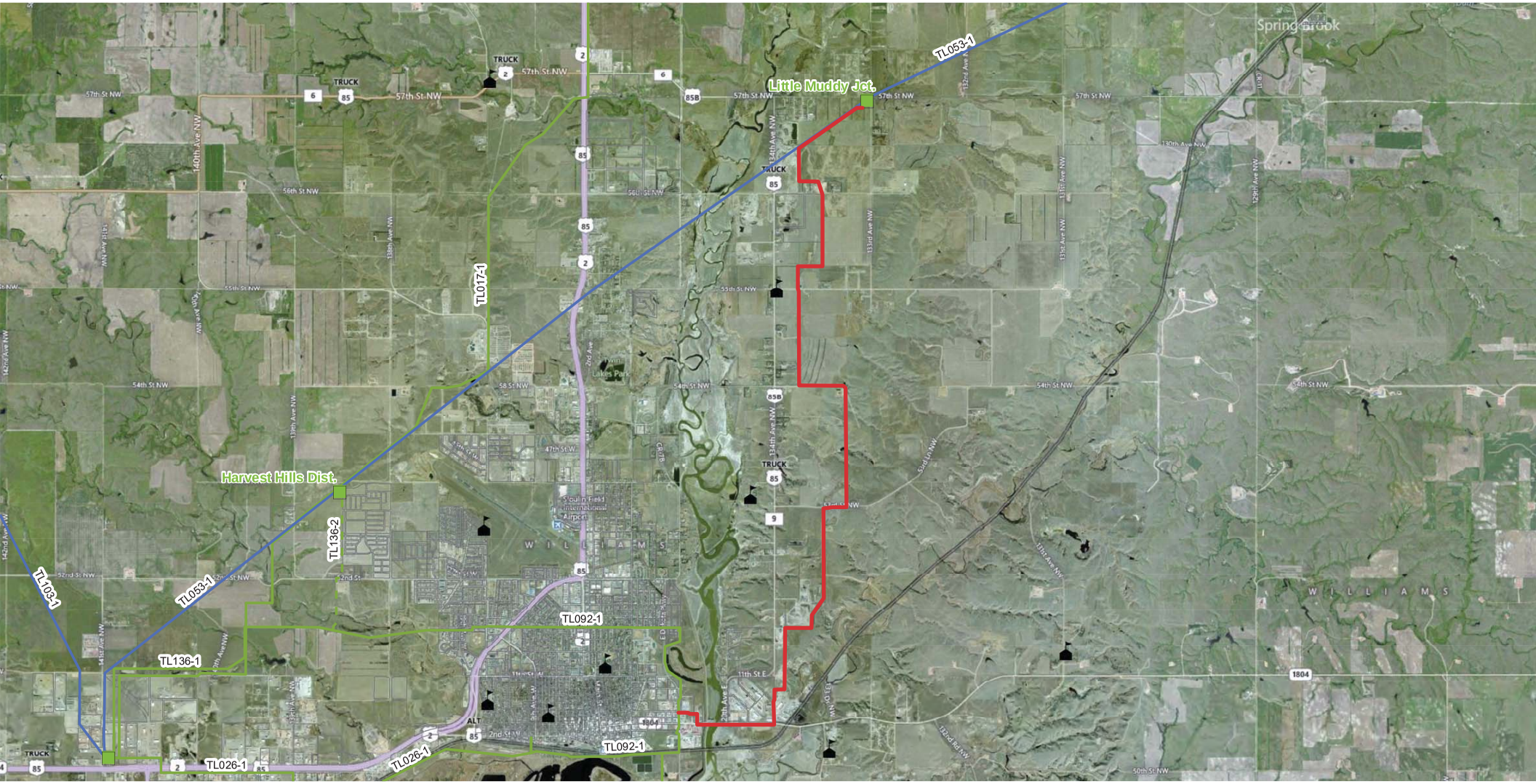
The information that I have provided only pertains to MDU's Electric Transmission facilities; for information on MDU's Electric Distribution or Gas facilities you will need to contact MDU's Williston Office (I have copied them on this email).

Thank you,

Holly Watts
Electric Transmission Engineer
Montana-Dakota Utilities Co.
Voice: 701-222-7736



Montana-Dakota Utilities Co Facilities


Little Muddy Jct.
Harvest Hills Dist.
TL053-1
TL017-1
TL136-2
TL103-1
TL136-1
TL092-1
TL026-1
TRUCK
57th St NW
56th St NW
55th St NW
54th St NW
52nd St NW
140th Ave NW
141st Ave NW
142nd Ave NW
138th Ave NW
134th Ave NW
133rd Ave NW
132nd Ave NW
130th Ave NW
Spring Brook
WILLIAMS
Stoulin Field International Airport
Lakes Park
2nd Ave
2nd St
11th St E
1804

Comment Letter C

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

December 22, 2014

Jennifer Hanley
Ulteig
3350 38th Avenue S
Fargo, ND 58104

Dear Ms. Hanley:

This is in response to your request for review of environmental impacts associated with the Project No. 7-804(053)900, PCN 20788, Williston NE Truck Reliever Route – US 2 to ND 1804 project located in Williams County, ND.

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

1 - There are floodplains identified and/or mapped where this proposed project is to take place. The areas are designated as Zone A. North Dakota has no formal 'permitting' authority as a state entity in National Flood Insurance Program (NFIP) identified floodplain areas. The permitting is always done by the local entity, which has jurisdiction in the area in question. Please work closely with the local Floodplain Administrator. The Floodplain Administrator is James Leahy or Bill Tracy; PO Box 1306; Williston, ND 58802; 701-577-2081. The NFIP map used to make this determination is: Panels # 3803190040D, Date 8/5/10.

2 - There is Western Area Water Supply project infrastructure located in the project area. Please contact the Western Area Water Authority at 701-774-6605 for infrastructure location.

3 - The ND State Water Commission (Commission) maintains a network of observation/monitor water wells throughout the state, and many are located close to public right-of-ways. The well location information can be obtained from the Commission's website at: http://swc.nd.gov.; then click on "Map and Data Resources"; and then click on "Map Services". If water wells may be affected by your project or accidently damaged, please contact the Water Appropriations Division of the Commission at 701-328-2754. A map is enclosed.

4 - A drain permit may be needed from the State Engineer for the project. Please contact Dwight Comfort at 701-328-4960 to discuss permit requirements.

5 - 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.

6 - All waste material associated with the project must be disposed of properly and not placed in identified floodway areas.

7 - No sole-source aquifers have been designated in ND.

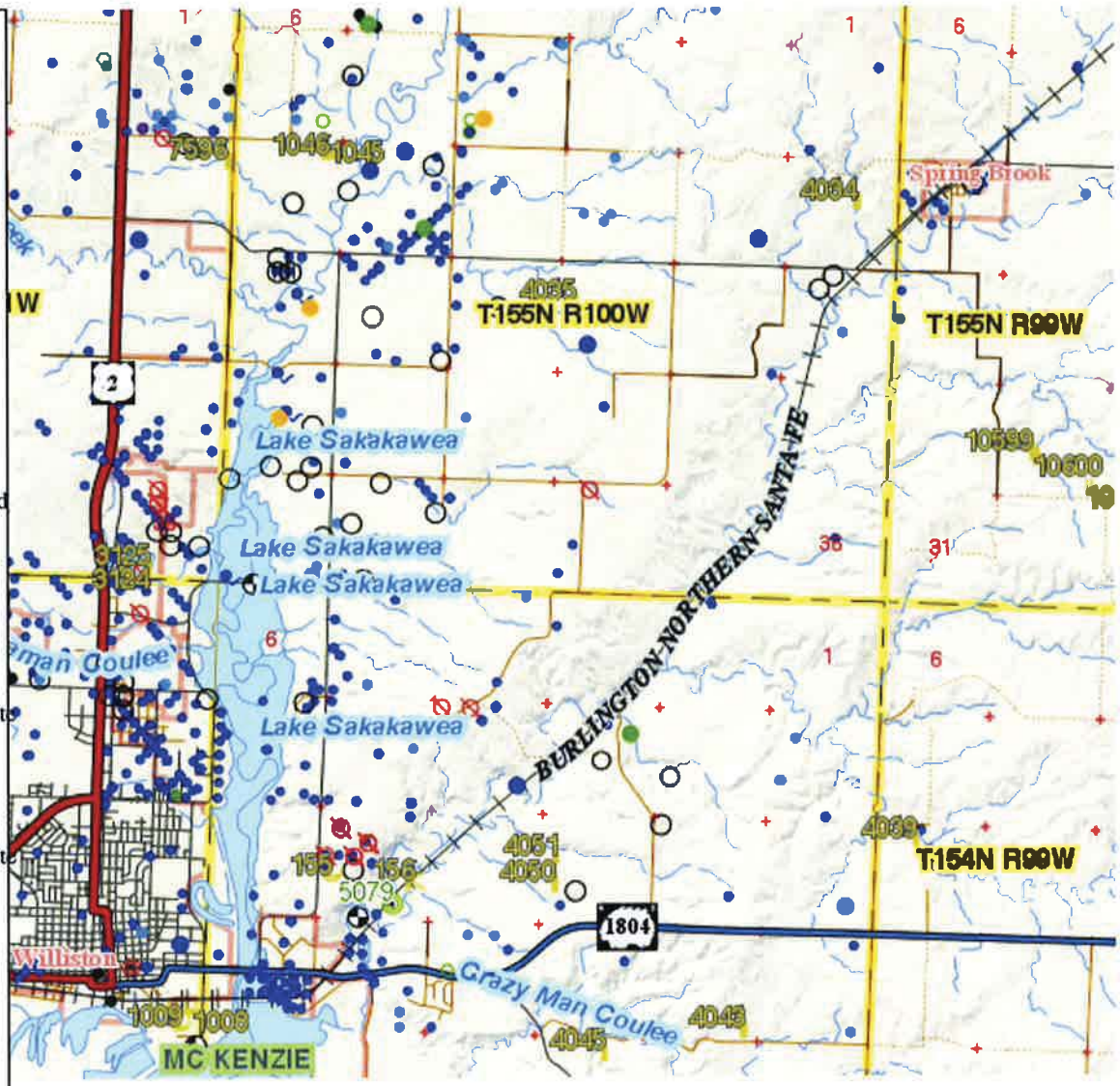
Thank you for the opportunity to provide review comments. If you have any questions, please call me at 701-328-4967.

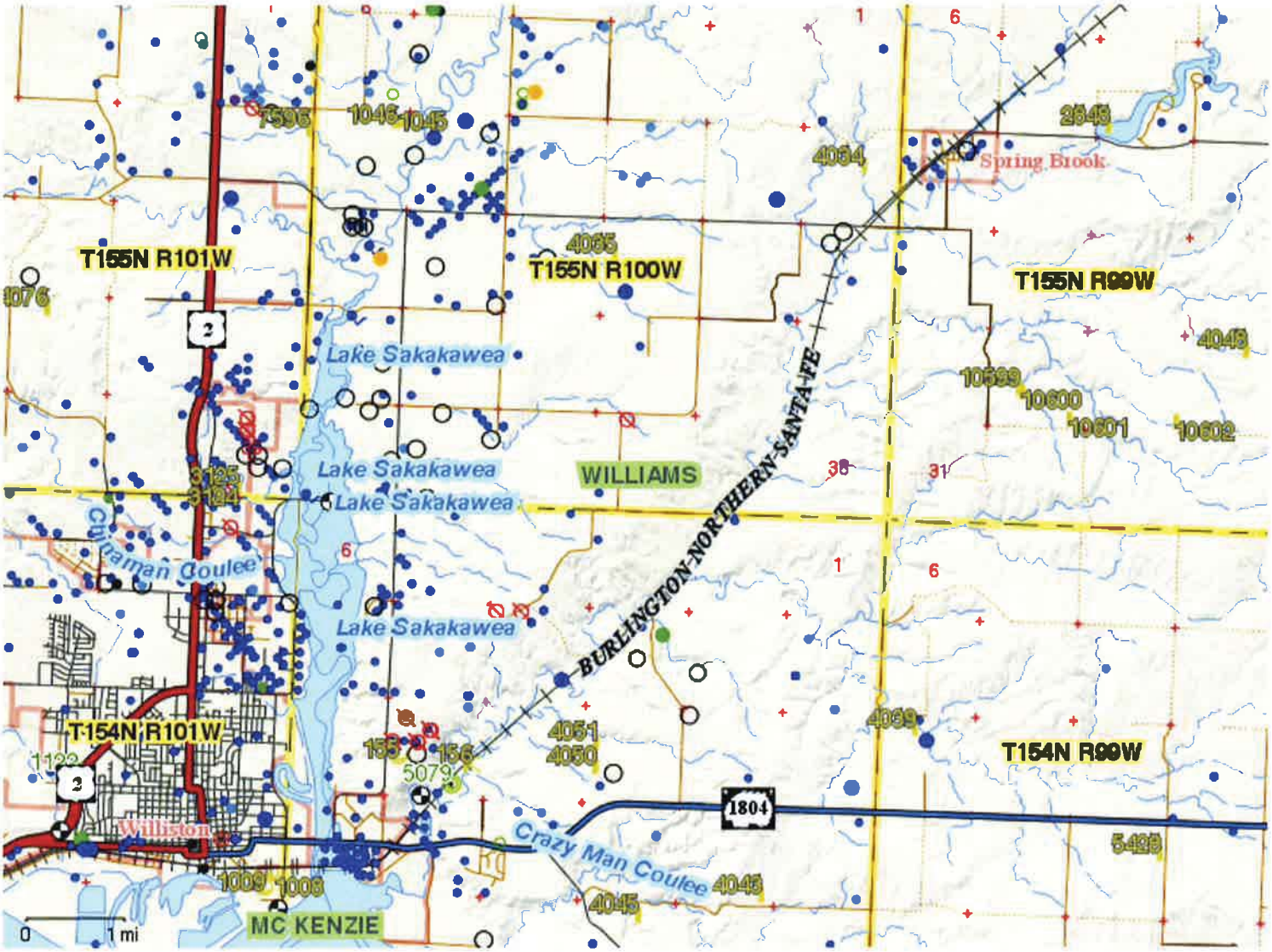
Sincerely,

Linda Weispfenning
Water Resource Planner

LW:dm/1570
Encl.

- ND Corporate Limits
- Tribal Lands
- Section Corners
- Townships_2
- County Boundaries1
- Driller Logs
- usgs_gages
- Domestic Well
- Industrial Well
- Irrigation Well
- Multi-Well Sample
- Municipal Well
- Observation Well
- Observation Well - Destroyed
- Observation Well - Recorder
- Production Well
- Rural Water Well
- Stock Well
- Stock Well - Plugged
- Surface Water Monitoring Site
- Test Hole
- Test Well
- Unknown
- Surface Water Monitoring Site
- Dams
- Approved
- Denied
- Hold
- Pending
- Withdrawn
- Permit Not Required
- dikes

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Lake Sakakawea
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Spring Brook
Williston
Crazy Man Coulee
Crazy Man Coulee
BURLINGTON-NORTHERN-SANTA-FE
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1804
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Comment Letter D

North Dakota Geological Survey

Edward C. Murphy –State Geologist

Department of Mineral Resources

Lynn D. Helms – Director

North Dakota Industrial Commission

www.state.nd.us/ndgs

December 24, 2014

Jennifer Hanley, PE
Ulteig Engineering
3350 38th Ave. S.
Fargo, ND 58104

Re: 7-804(053)900, PCN 20788
Williston NE Truck Reliever Route – US 2 to ND 1804
Williams County, North Dakota

Dear Ms. Hanley,

Thank you for allowing us the opportunity to review and comment on the above project. It is our understanding that the proposed project consists of developing an Environmental Assessment (EA), which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route northeast of Williston and that the alignment will include new and existing roadway corridors. Existing alignment sections would be structurally improved and possibly widened and new alignment segments will include surfacing with hot bituminous pavement or concrete over aggregate base with drainage improvements where needed.

1 The majority of the project study area is located in areas where previous and recent geologic mapping has identified deposits of alluvium and glacially derived sediments overlying sedimentary bedrock of the Sentinel Butte Formation which also outcrops in areas principally along the Stony Creek and Crazyman Coulee. The glacially derived sediments include till, slope washed till, and glaciolacustrine and glaciofluvial deposits. The Little Muddy River and associated floodplains are located along the western portion of the study area. Significant portions of the floodplain are mapped as wetlands and portions are also under the jurisdiction of the US Army Corps of Engineers. These areas are frequently flooded and it can be anticipated that soft and/or wet subsoil will be encountered that may present construction difficulties and/or frequent maintenance. Similar conditions may exist where intermittent sloughs ("prairie potholes") occur across the study area. Special design and construction considerations may be required should the route traverse these areas.

2 Landslides have been mapped by the North Dakota Geological Survey (Murphy, 2012, https://www.dmr.nd.gov/ndgs/landslides/Williston/24k/wlst_e_l.pdf). The landslides and slump features are generally located in areas with steep slopes particularly along the Stony Creek drainage channel and the Crazyman Coulee and are quite frequent where the Sentinel Butte Formation is exposed. These can be induced by placing loads too close to the slopes and/or by the addition of moisture that may result from such things as drainage coming off of paved roads.

3 We would be happy to review and comment again on the project in the future as routes and plans become more focused.

Sincerely,

Mark R. McDonald, P.E., Ph.D.
Geologist

Cc: Ed Murphy, State Geologist

North Dakota Geological Survey

Edward C. Murphy - State Geologist

Department of Mineral Resources

Lynn D. Helms - Director

North Dakota Industrial Commission

www.state.nd.us/ndgs

January 8, 2015

Jennifer Hanley, PE
Ulteig
3350 38th Ave. S.
Fargo, ND 58104

Jennifer,

I have reviewed our records to determine if any paleontological sites have been reported from the tracts listed for the project:

7-804(053 0900, PCN 20788
Williston NE Truck reliever route – US 2 to ND 1804
Williams County

4 No fossil sites have been identified in any of the tracts listed.

It is unlikely that paleontological sites will be encountered in the Williams County tracts because those areas are covered with generally unfossiliferous glacial deposits.

Sincerely,

Jeff Person
Paleontologist
North Dakota Geological Survey

600 E Boulevard Ave - Dept 405, Bismarck, North Dakota 58505-0840 Phone (701)328-8000 Fax (701)328-8010

Comment Letter E

USDA

United States Department of Agriculture

Natural Resources
Conservation Service

PO Box 1458
Bismarck, ND
58502-1458
Voice 701.530.2000
Fax 855-813-7556

December 29, 2014

Jennifer Hanley, PE
Ulteig
3350 38th Avenue S.
Fargo, North Dakota 58104

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE –
US 2 TO ND 1804, WILLIAMS COUNTY

Dear Ms. Hanley:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated December 16, 2014, Project Number 7-804(053)900, PCN 20788, and acknowledge your request to determine whether your project affects farmland as defined in Sec. (658.2 a) of the Code of Federal Regulations (CFR) dealing with the Farmland Protection Policy Act (FPPA).

Farmland Protection Policy Act

1 NRCS has a major responsibility with the FPPA in documenting conversion of farmland (i.e., prime, statewide importance and local importance) to non-agriculture use when the project utilizes federal funds. FPPA may apply to any portion of your project outside current road right-of-ways and city limits. Please complete the form AD-1006 for all areas outside the current road right-of-way and city limits. (See instructions below) I will forward all information you provided to Jon Stika, Soil Scientist, NRCS Area Office, Dickinson, North Dakota.

2 Enclosed is a Farmland Conversion Impact Rating Form AD-1006 or you may utilize a fillable web based form at http://www.nrcs.usda.gov/Programs/fppa/pdf_files/AD1006.PDF to record the following. Please complete Parts I and III for those areas outside the current road right-of-way and city limits and return to Jon Stika, Soil Scientist, 135 Sims Street, Suite 210, Dickinson, North Dakota 58601. If applicable, you may email the above information to jon.stika@nd.usda.gov If the farmland (i.e., Prime Farmland, Statewide Importance, Local Importance) is determined to be subject to the FPPA, he will then complete Parts II and IV. NRCS will measure the relative value of the site as farmland on a scale of 0 to 100 according to the information sources listed in CFR 658.5(a). If FPPA applies to this site, Form AD-1006 will be returned to your agency for completion of Part VI, Site Assessment Criteria.

3 NRCS is monitoring Farmland Conversion Impact Ratings (form AD-1006, form AD-1006) and are concerned with how some of the forms are being completed, particularly Part IV - Site Assessment Criteria, which is being scored below 60 points. As a general rule, if FPPA applies and the site is in agricultural production, rarely would it be

appropriate for it to have a score of less than 60 points. If you have question concerning the Farmland Conversion Impact Ratings or assessment factors, please contact Steve Sieler, State Soil Liaison, NRCS, Bismarck, ND (701-530-2019).

Wetlands

4 The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose, or to have the effect of making agricultural production possible, loss of USDA benefits could occur. You are anticipating construction outside of the right-of-way where wetland impacts may occur that could make production possible. The NRCS has developed the following guidelines to help avoid impacts to wetlands and possible loss of USDA benefits for producers. If these guidelines are followed, the impacts to the wetland will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements:

- Disturbance to the wetland must be temporary.
- No drainage of wetland is allowed (temporary or permanent).
- Mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained.
- Temporary side cast material must be placed in such a manner not to be dispersed in the wetland.
- All trenches in a wetland must be backfilled to the original elevation.

NRCS would recommend that impacts to wetland be avoided.

Sincerely,

WADE D. BOTT
State Soil Scientist

Enc.

cc:
Jon Stika, ARSS, NRCS, Dickinson, ND (w/enc.)
Malinda Ferguson, SC, NRCS, Williston, ND

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request
Name Of Project	Federal Agency Involved
Proposed Land Use	County And State

PART II *(To be completed by SCS)*		Date Request Received By SCS	
Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply – do not complete additional parts of this form).* Yes ☐ No ☐		Acres Irrigated	Average Farm Size
Major Crop*(s)*	Farmable Land In Govt. Jurisdiction Acres: %	Amount Of Farmland As Defined in FPPA Acres: %	
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By SCS	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site				
PART IV *(To be completed by SCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				
PART V *(To be completed by SCS)* Land Evaluation Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*				

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points				
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS	160				
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100				
Total Site Assessment *(From Part VI above or a local site assessment)*	160				
TOTAL POINTS *(Total of above 2 lines)*	260				

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☐
Reason For Selection:		

(See Instructions on reverse side)

Jennifer Hanley

From: Williams, Scott <scott_a_williams@fws.gov>
Sent: Monday, December 29, 2014 10:44 AM
To: Jennifer Hanley
Subject: Williston NE Truck Reliever Route

Hi Jennifer,

1 Thank you for your consideration as part of the Environmental Assessment on this project. There are no United States Fish and Wildlife Service land interests within this project area.

Let me know if you have any questions,

S.

Scott A. Williams
Federal Wildlife Officer

Crosby Wetland Management District
U.S. Fish and Wildlife Service
10100 HWY 42 NW
Crosby, ND 58730

701.965.6488 Office
701.339.1450 Cell
701.965.6487 Fax

Jennifer Hanley

From: Kyle Sorenson <kyles@mwec.com>
Sent: Monday, January 05, 2015 2:21 PM
To: Jennifer Hanley
Subject: Williston NE Truck Reliever Route

Jennifer,

1 As I am sure you are well aware, we have multiple utility lines in the study area. These include both overhead transmission and distribution lines and also some underground distribution lines. At this time it is difficult to give you the exact information you need. I will be able to give you a better idea of the impacts once the corridor is narrowed down and routes are identified. Please feel free to call me with any questions.

Thank you,

Kyle Sorenson
Civil Engineer
Mountrail-Williams Electric Cooperative
Office: 701-577-3765 Ext. 616
Cell: 406-670-0544

Jennifer Hanley

From: Scott Barber <s.barber@fecinc.com>
Sent: Wednesday, January 07, 2015 10:39 AM
To: Jennifer Hanley
Subject: Williston NE Truck Reliever Rounte- US2 To ND1804

Jennifer,

1 Nemont Telephone has copper and fiber facilities along Hwy 9 and Hwy 6. Nemont also has facilities throughout the rest of the highlighted area on the project map, but the further the alignment is located to the east the fewer impacts there will be on Nemonts facilities.

Thank you,

Scott Barber

FINLEY ENGINEERING
INTEGRITY INTO EVERYTHING
PO Box 1698,
901 Basin Ave.
Bismarck, ND 58504
Phone 701.222.1500
Fax 701.222.1502
s.barber@fecinc.com

Jennifer Hanley

From: Ciurej, Amanda NWO <Amanda.K.Ciurej@usace.army.mil>
Sent: Monday, January 12, 2015 4:02 PM
To: Jennifer Hanley
Cc: Shelman, Johnathan A NWO; Cossette, Brent NWO
Subject: Williston Truck Reliever Route, US 2 to ND 1804 Project

Ms. Jennifer Hanley,

1 The U.S. Army Corps of Engineers, Omaha District (Corps) has received your letter regarding the development of an Environmental Assessment to analyze the impacts of the construction of a truck reliever route, northeast of Williston, North Dakota in Williams County. We are in the process of responding to your letter; however, the response will not be ready by the requested suspense date.

2 The Corps is currently working with FHWA, who is working with the NDOT, to formulate a path forward regarding highway improvements in the area as well as determine the appropriate level of NEPA compliance as the potential area of effect includes property owned by the federal government that is managed by the Corps.

If you have any questions regarding our response, please contact me. I will send our response to you via email and mail once it is ready.

Best regards,

Amanda Ciurej

Environmental Resource Specialist
U.S. Army Corps of Engineers, Omaha District Planning Branch, CENWO-PM-AC
1616 Capitol Avenue
Omaha, Nebraska 68102

phone: 402.995.2897
fax: 402.995.2758
email: amanda.k.ciurej@usace.army.mil

Comment Letter I

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

REPLY TO
ATTENTION OF

February 17, 2015

Planning, Programs, and Project Management Division

Ms. Jennifer Hanley
Ulteig Engineering, Inc.
3350 38th Avenue S
Fargo, North Dakota 58104

Dear Ms. Hanley:

3 The U.S. Army Corps of Engineers (Corps), Omaha District and Garrison Dam and Lake Sakakawea Project has reviewed your letter regarding the preparation of an Environmental Assessment to assess impacts of the proposed Highway 1804 improvements in Williams and Mountrail Counties, North Dakota. Currently, the Corps is working with the North Dakota Department of Transportation and their partners and representatives to comply with the National Environmental Policy Act. As such, we are not providing specific comments via this letter response and encourage the project proponents to continue coordination with the following staff at the Corps.

John Shelman – Environmental Resource Specialist – Corps Omaha District
Phone: (402) 995-2708
Email: Johnathan.A.Shelman@usace.army.mil

Garth Zimbleman – Natural Resource Specialist – Corps Garrison Dam and Lake Sakakawea Project
Phone: (701) 654-7707
Email: Garth.A.Zimbleman@usace.army.mil

Sincerely,

Eric A. Laux
Chief, Environmental Resources and Missouri River Recovery Program Plan Formulation Section

Comment Letter J

"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

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

January 13, 2015

Jennifer Hanley, PE
Ulteig
3350 38th Avenue S
Fargo, ND 58104

Dear Ms. Hanley:

RE Project No. 7-804(053)900, PCN 20788
Williston NE Truck Reliever Route

This project consists of developing an Environmental Assessment to analyze the impacts of a truck reliever route northeast of Williston, North Dakota. The alignment will include new and existing roadway corridors. The project will also include widening or replacing a bridge on Williams County Road 6.

1 We request that work not take place within the Little Muddy River, a Classified fishery, between April 15 and June 1 to protect the resource during the spawning period. We ask that steps be taken to prevent construction debris from entering the waterway, and any disruption or
2 displacement of the streambed and banks other than the planned alterations be restored to pre-project conditions.

3 Structures should not act as a barrier to the movement of fish and other aquatic organisms in the
4 stream channel under any flow conditions. Where box culverts are used, we recommend the invert elevation of the structure and any associated riprap be countersunk approximately one foot below the existing grade of the stream bed to allow sediments to accumulate and provide
5 adequate substrate and water depth to maintain the stream continuum. If a multiple box culvert is used and the elevation differential over the length of the culvert is 6 inches or greater, additional consultation with the Department is requested.

6 We recommend that bridge projects be modified to facilitate wildlife crossing through the bridge structure to reduce the potential for wildlife-vehicle collisions. Such crossings provide improved habitat connectivity for wildlife while reducing vehicle repair costs, human injuries and fatalities, animal loss and numerous secondary impacts.

7 Aquatic nuisance species (ANS) are a major concern in North Dakota. State law requires that the contractor, including any and all subcontractors involved in this project, take appropriate precautions to prevent the introduction or movement of ANS within the state. The contractor should provide the department a reasonable opportunity to inspect any equipment prior to these items being launched or placed into waters of the state. The Department's Aquatic Nuisance Species Coordinator, Mr. Fred Ryckman, can be contacted at 701-770-0920 for equipment inspections or additional information regarding ANS prevention protocols.

8 The National Wetland Inventory indicates a variety of wetlands within the proposed project area. We recommend that any unavoidable destruction of wetland acres be mitigated in kind, erosion control measures be implemented to minimize sedimentation, and disturbed areas be seeded with suitable native grass and forb species where appropriate.

Sincerely,

Greg Link
Chief
Conservation & Communication Division

js

Jennifer Hanley

From:	John Waldeck <jwaldeck@paalp.com>
Sent:	Tuesday, January 13, 2015 3:41 PM
To:	Jennifer Hanley
Cc:	Edward W Shypkoski; Daniel J Holli; Stephen Falgoust; Thomas J McLane; 'Thomas R McCormick'
Subject:	Project 7-804(053)900, PCN 20788, Williston NE Truck Reliever Route - US Hwy 2 to ND St Hwy 1804, Wms Co, ND
Attachments:	Williston NE Truck Reliever Route US Hwy 2 to ND St Hwy 1804..pdf; Projec 7-804(053)900, PCN 20788_VicinityMap.pdf

Ms. Hanley,

1 I am in receipt of your letter and supporting documents dated December 16, 2014 (attached for your reference) regarding the proposed highway improvement project for US Hwy 2 located in T154-155N, R100W, Williams County, North Dakota. Plains Pipeline LP does own and operate a retired 4" steel line that is part of our Trenton Gathering System and it traverses through the center of your area of potential interest. The line has been out of service for a number of years and the nearest proximity to your proposed highway project is approximately 1600 feet at the south end of your area of interest boundary; which may not have any impact on your design requirements. Please see attached vicinity map. I have cc'd Ed Shypkoski, our operations District Manager, and Dan Holli, our Environmental Health and Safety Compliance specialist, to permit them to respond with any concerns or comments regarding this proposed improvement project. Any further communication regarding any potential impacts to our assets in this area should be directed toward Mr. Shypkoski and Mr. Holli.

Please accept my apologies for the late response, but I have just returned from a 3 week vacation hiatus and am still sorting through my correspondence.

2 Prior to commencement of any proposed construction activity, you or the appointed contractor will need to contact North Dakota 811, Call Before You Dig, to permit our field personnel to accurately mark the affected pipeline.

Please let me know if I may be of any further assistance.

Best regards,

John Waldeck
Manager Asset Integrity Reporting
Plains All American GP LLC
333 Clay Street
Suite 1600
Houston, TX 77002
713-646-4337 (office)
713-259-9154 (cellular)
713-646-4166 (fax)
jwaldeck@paalp.com

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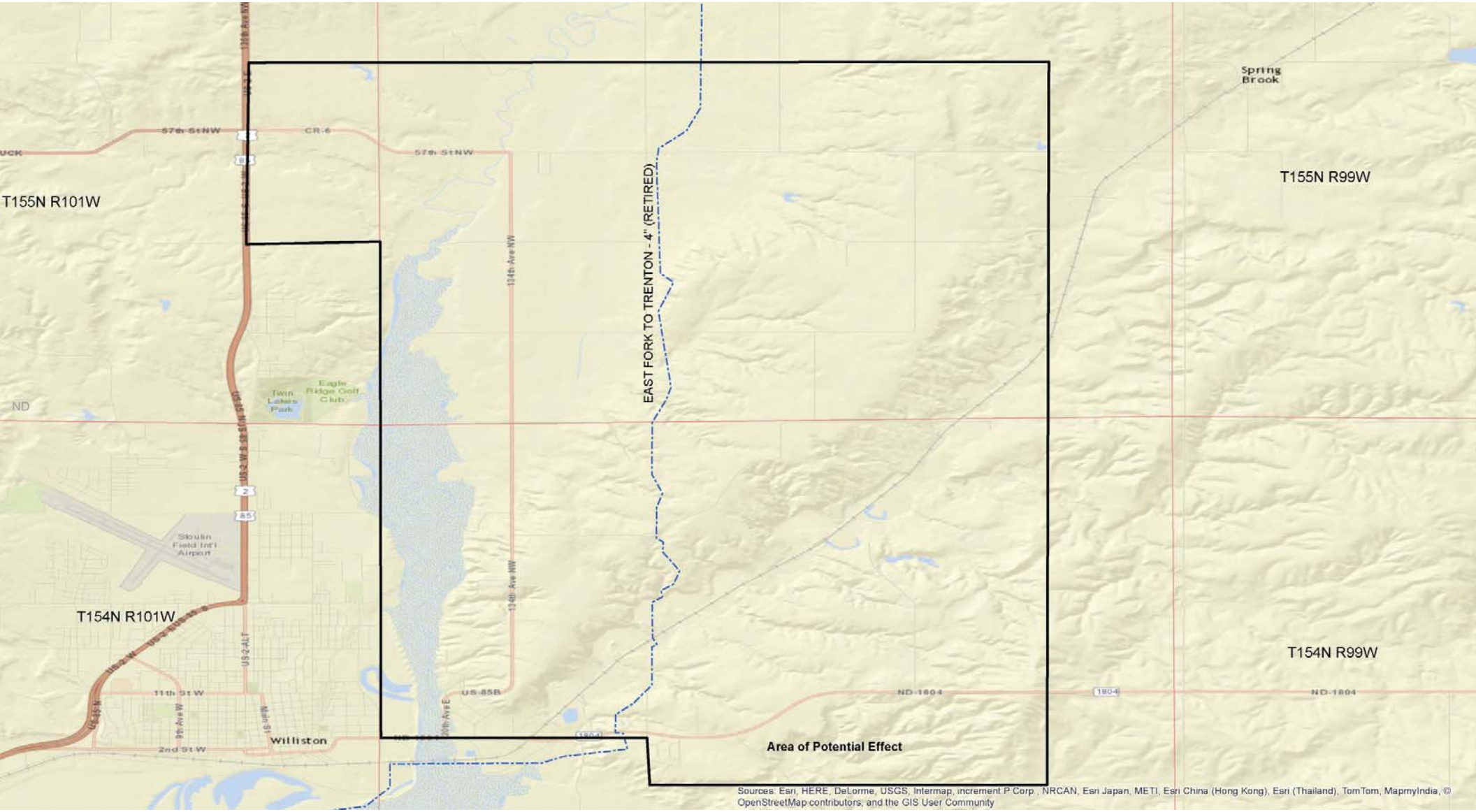
T155N R101W
T155N R99W
T154N R101W
T154N R99W
EAST FORK TO TRENTON - 4" (RETIRED)
Area of Potential Effect
Spring Brook
57th St NW
CR-6
134th Ave NW
Twin Lakes Park
Eagle Ridge Golf Club
Sloulin Field Int'l Airport
US-2
US-85
US-2 ALT
11th St W
2nd St W
9th Ave W
Main St
Williston
US-85B
20th Ave E
ND-1804
1804
ND
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Jennifer Hanley

From: Bob Hanson <BobH@ci.williston.nd.us>
Sent: Friday, January 16, 2015 4:04 PM
To: Jennifer Hanley
Subject: SOV; 7-804(053)900 PCN 2078; Williston NE Truck Reliever Route--US 2 to ND 1804; WIlliams County

Ms. Hanley

The Williston City Commission has reviewed and considered your request for comments on the proposed Truck Route on the north and east of the City and wishes to make the following comments:

1 1. The City of Williston supports the proposed project.
2 2. The City of Williston believes that the project should consist of a 4-lane highway with a center left turn lane and right turn lanes at all access points.
3 3. The City of Williston believes that the project should include the 4-laning of ND State Highway 1804 from the City going east to its intersection with the proposed East Truck Bypass.
4 4. The City of Williston would reserve the right to provide additional comments once the alignment of the proposed East Truck Bypass has been determined.

If you need a hard copy of these comments please provide us with your mailing address.

Should you have any question or need any additional information, please call.

Bob

Bob Hanson, P.E. | **City Engineer**

ENGINEERING DEPARTMENT

809 5th St E
P.O. Box 2437
Williston, ND
58802-2437

City of WILLISTON

Phone: **701-577-6368**
Fax: **701-577-6360**
Email: **bobh@ci.williston.nd.us**

Comment Letter L

Public Works & Engineering Department
809 5th Street East
PO Box 2437
Williston, ND 58802-2437

January 16, 2015

Jennifer Hanley, PE
Environmental Specialist
3350 38th Avenue South
Fargo, ND 58104

Ms. Hanley,

The Williston City Commission has reviewed and considered your request for comments on the proposed Truck Route on the north and east of the City and wishes to make the following comments:

1. The City of Williston supports the proposed project.
2. The City of Williston believes that the project should consist of a 4-lane highway with a center left turn lane and right turn lanes at all access points.
3. The City of Williston believes that the project should include the 4-laning of ND State Highway 1804 from the City going east to its intersection with the proposed East Truck Bypass.
4. The City of Williston would reserve the right to provide additional comments once the alignment of the proposed East Truck Bypass has been determined.

If you need a hard copy of these comments please provide us with your mailing address.

Should you have any question or need any additional information, please call.

Sincerely,

Bob Hanson

Bob Hanson, P.E.
City Engineer

RH/kw

Comment Letter M

HEIDI HEITKAMP
NORTH DAKOTA
HART SENATE BUILDING 502
WASHINGTON, DC 20510
PH: 202-224-2043
FAX: 202-224-7776
TOLL FREE: 1-800-223-4457
http://www.heitkamp.senate.gov

United States Senate

WASHINGTON, DC 20510-3407

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INDIAN AFFAIRS
SMALL BUSINESS AND ENTREPRENEURSHIP

January 16, 2015

Ms. Jennifer Hanley
3350 38th Avenue S
Fargo, ND 58104-7079

Dear Jennifer,

Thank you for contacting me regarding the Williston northeast truck reliever route. It was good to hear from you.

I appreciated the opportunity to read your letter detailing the Williston northeast truck reliever route and comment period for the Draft Environmental Impact Statement. As you well know, communities in western North Dakota have been impacted by the oil and gas activity in the Bakken Formation, which has put a strain on existing infrastructure, especially our roads. During my time as Senator, I have hosted a number of meetings with local and state leaders throughout the west to address the quality of life in the oil patch, including the lack of affordable housing, traffic and road impacts, and law enforcement challenges. I strongly support efforts to expand existing infrastructure in communities impacted by the energy development in North Dakota – such as the Williston northeast truck reliever route – to alleviate traffic congestion and improve safety. Please know that I will continue working with communities like Williston to improve and expand their infrastructure. 1

Again, thank you for contacting me. Please do not hesitate to contact me should you have any additional concerns in the future.

Sincerely,

Heidi

Heidi Heitkamp
United States Senate

HH:wjlw

BISMARCK OFFICE
228 FEDERAL BUILDING
220 EAST ROSSER AVENUE
BISMARCK, ND 58501
PH: 701-258-4648
FAX: 701-258-1254

DICKINSON OFFICE
40 1ST AVENUE WEST
SUITE 202
DICKINSON, ND 58601
PH: 701-225-0974
FAX: 701-225-3287

FARGO OFFICE
306 FEDERAL BUILDING
657 SECOND AVENUE NORTH
FARGO, ND 58102
PH: 701-232-8030 · 1-800-223-4457
FAX: 701-232-6449

GRAND FORKS OFFICE
33 S. 3RD ST., SUITE B
GRAND FORKS, ND 58201
PH: 701-775-9601
FAX: 701-746-1990

MINOT OFFICE
105 FEDERAL BUILDING
100 FIRST STREET S.W.
MINOT, ND 58701
PH: 701-852-0703
FAX: 701-838-8196

Jennifer Hanley

From: Greg Demme <greg.demme@enbridge.com>
Sent: Tuesday, January 27, 2015 8:34 AM
To: Jennifer Hanley
Subject: RE: Williston NE Truck Reliever Route

Thanks Jennifer.

1 I just found out that one of our senior managers also received your project notice, and his copy included a map of the Area of Potential Effect. Based on that map, we do not have any facilities that would be affected, but please go ahead and send us a map with a preliminary corridor when you have it, and I will re-verify at that time.

Many thanks,
Greg

Greg Demme
Team Lead – Land Services, North Dakota Region

ENBRIDGE
Operator of North Dakota Pipeline Company LLC
TEL: 701-857-0933 | MOBILE: 701-500-2755 | FAX: 713-457-6029
2505 16th St SW, Minot, ND 58701

enbridge.com
enbridgepartners.com

Integrity. Safety. Respect.

From: Jennifer Hanley [mailto:Jennifer.Hanley@Ulteig.com]
Sent: Wednesday, January 21, 2015 3:58 PM
To: Greg Demme
Subject: RE: Williston NE Truck Reliever Route

Greg,

Thanks for your response. We are a few weeks away from having a preliminary corridor. As soon as we get a map ready, I will send you more detailed information.

Jen

Jennifer Hanley, PE
Environmental Specialist
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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From: Greg Demme [mailto:greg.demme@enbridge.com]
Sent: Wednesday, January 21, 2015 10:45 AM
To: Jennifer Hanley
Subject: FW: Williston NE Truck Reliever Route

This didn't go through the first time – resending…

From: Greg Demme
Sent: Wednesday, January 21, 2015 10:39 AM
To: 'Jenninfer.Hanley@ulteig.com'
Subject: Williston NE Truck Reliever Route

Jennifer,

In addition to this email, I also just left you a voicemail message about this. I would like some more information about the exact area you are planning work on for the Williston NE Truck Reliever Route – a map or two would be helpful.

I do see that I'm beyond your 1/16/15 deadline. Please reply so we can determine if we have any issues that we'll need to discuss and possibly take action on.

Many thanks,
Greg

Greg Demme
Team Lead – Land Services, North Dakota Region

ENBRIDGE
Operator of North Dakota Pipeline Company LLC
TEL: 701-857-0933 | MOBILE: 701-500-2755 | FAX: 713-457-6029
2505 16th St SW, Minot, ND 58701

enbridge.com
enbridgepartners.com

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Jennifer Hanley

From: Holweger, Todd L. <tholweger@nd.gov>
Sent: Friday, January 30, 2015 4:49 PM
To: Jennifer Hanley
Subject: Williston NE bypass
Attachments: FW: 7-804(053)900 (PCN 20788) - Oil and Gas information

Jennifer:

1 Please let me know when Ulteig has a preferred route. We don't have any applications in the bypass area at this time. Thank You.

Todd L. Holweger
Mineral Resources Permit Manager
NDIC, DMR, Oil and Gas Div.
(701) 328-8024
https://www.dmr.nd.gov/oilgas/

From: Jennifer Hanley
Sent: Wednesday, February 04, 2015 1:17 PM
To: 'Amy J. Denz'; Dan S. Ackerman
Subject: FW: New hwy expansion

FYI

Jennifer Hanley, PE

Environmental Specialist
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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From: Brad Nesom [mailto:bnesom@hilandpartners.com]
Sent: Wednesday, February 04, 2015 12:35 PM
To: Jennifer Hanley
Cc: Jena Daughhetee; Chuck Sexton; Sara DiFonzo; Mike Higgins; Adam Miller
Subject: RE: New hwy expansion

Ms Hanley,
1 I have attached Shapefiles for our gas and crude pipe in the area of your project.
Also attached is a map showing those lines. As well as your original comment request.
Please note that the Gas pipeline crossing your project area several times is high pressure line.
Brad

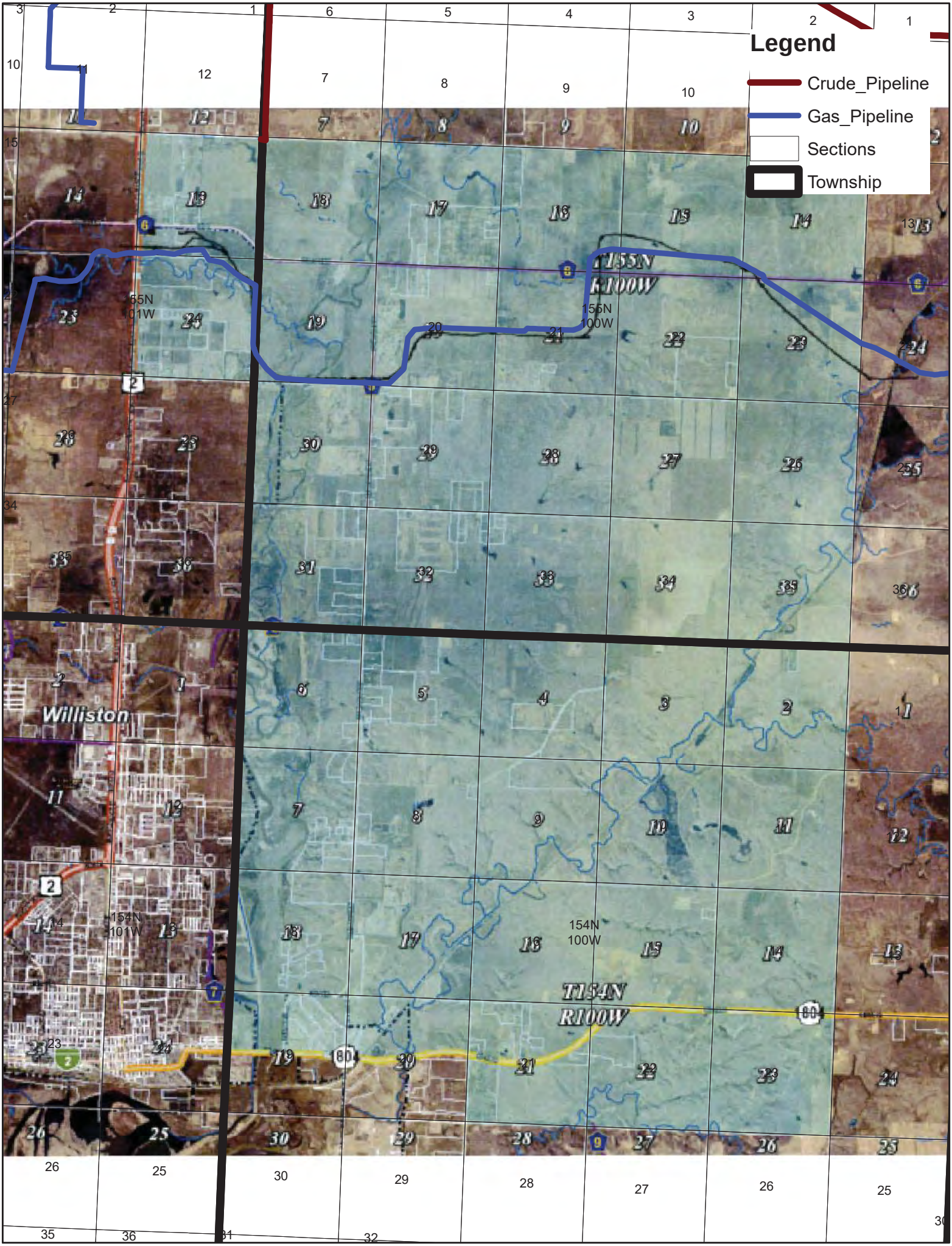
From: Sara DiFonzo
Sent: Monday, February 02, 2015 10:34 AM
To: Brad Nesom
Cc: Jena Daughhetee; Chuck Sexton
Subject: New hwy expansion

Jena and Brad,

Can you please send Jen with Ulteig shape files of the requested areas.

Thank You,

Sara DiFonzo
Hiland Partners
Damage Prevention
ND / MT
cell: 701-580-8460


Legend
Crude_Pipeline
Gas_Pipeline
Sections
Township
T155N
R100W
155N
100W
155N
101W
Williston
154N
101W
154N
100W
T154N
R100W

Comment Letter Q

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

June 26, 2018

Ms. Jennifer Hanley, P.E.
Ulteig
3350 38th Avenue South
Fargo, ND 58104

Re: Project No. 7-804(053)900, PCN 20788
Williston NE Truck Reliever Route – U.S. Hwy 2 to ND Hwy 1804
Williams County

Dear Ms. Hanley:

This department has reviewed the information concerning the above-referenced project submitted under date of June 15, 2018, 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 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 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). Check with the local officials to be sure any local storm water management considerations are addressed. Storm water runoff from the project area discharges to a 303(d) listed water body (Little Muddy River). Extra care should be taken to ensure construction activity does not affect the water body.

3 3. The proposed construction project overlies the Little Muddy and Yellowstone River Channel glacial drift aquifers. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this Department and appropriate remedial actions performed.

4 The department owns no land in or adjacent to the proposed improvements, nor does it have any
5 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.

6 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.

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

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.

Jennifer Hanley

From: Garth D. Vaagene <garthv@nccray.com>
Sent: Friday, January 18, 2019 12:45 PM
To: Jennifer Hanley
Subject: Project 7-804(053)900, PCN20788

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1 NCC does not have any utilities that may be in conflict with this proposed project except at the intersection of Williams Co 6 and Hwy 2/85 where we run North to South in the North/East bound DOT right of way as we cross Williams Co #6.

Garth Vaagene
Plant Engineer

garthv@nccray.com
701.568.3331 ext. 123
111 Railroad Ave
PO Box 38
Ray, ND 58849

Facebook | YouTube | LinkedIN

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Jennifer Hanley

From: Josh Kueber
Sent: Friday, January 18, 2019 1:20 PM
To: Jennifer Hanley
Cc: Steve Windish
Subject: TRR, Utilities

1 I just received phone call from Delmar from Trenton Water Users. He said that they do not have any utilities East of Williston, which I suppose makes sense since Trenton West of Williston.

Josh Kueber, PE
Senior Engineer
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8542 • Mobile: (701) 200-5401
www.ulteig.com

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Jennifer Hanley

From: Josh Kueber
Sent: Friday, January 18, 2019 4:33 PM
To: Jennifer Hanley
Subject: RE: TRR, Utilities

1 Mr. Ale Wood from Western Area Power called and informed me that they have no facilities on the East side of Williston.

Josh Kueber, PE
Senior Engineer
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8542 • Mobile: (701) 200-5401
www.ulteig.com

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Comment Letter U
U

Jennifer Hanley

From: Riely, Paul <Paul.Riely@mdu.com>
Sent: Tuesday, January 22, 2019 11:50 AM
To: Jennifer Hanley
Subject: Project 7-804(053)900, PCN 20788 Williams NW TRR -US 2 to ND 1804

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Good Morning

1 My name is Paul Riely, and I will be the Gas Department contact for Montana-Dakota Utilities Co. I currently have facilities located in Sections 13 and 19, in the vicinity of the current road. These amount to distribution lines outside of the current right-of-way as well as three road crossings, two on County 6 and one on County 9, all of which would appear to be in conflict with this project.

Please let me know if this moves forward, or if you have any further questions.

Thank You

Paul Riely
Williston District Gas Operations Supervisor
121 West 8th Avenue
Williston, ND 58801
Office: 701-572-1614
paul.riely@mdu.com

Comment Letter VV

Jennifer Hanley

From: Noel, David <Noel@WAPA.GOV>
Sent: Tuesday, January 22, 2019 8:22 AM
To: Jennifer Hanley
Cc: Ibeneme, Bob
Subject: Project NO. 7-804(053)900, PCN 20788

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Jennifer,

1 In response to the project stated in the subject line, Williston NE Truck Reliever Route, WAPA has no facilities in this project area and will not be effected by the project.

David Noel | Electrical Engineer
Western Area Power Administration | Upper Great Plains Region | Bismarck, ND
(O) 701.221.4555 | (F) 701.221.4526 | noel@wapa.gov

Jennifer Hanley

From: Megan Milbradt <MMilbradt@bepc.com>
Sent: Tuesday, January 22, 2019 2:49 PM
To: Zacher, Wayne A.; Jennifer Hanley; Dockter, Monte R. (mdockter@nd.gov)
Subject: RE: [External] RE: NDDOT Project 7-804(053)900, PCN 20788

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1 Thanks! Upon further inspection, I think I was a township off so in that case, this will not cross our lines at all. Sorry for the confusion!

Megan Milbradt | Civil Engineer
Direct: 701.557.5783 | basinelectric.com
BASIN ELECTRIC POWER COOPERATIVE
A Touchstone Energy Cooperative

From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Tuesday, January 22, 2019 2:32 PM
To: Megan Milbradt <MMilbradt@bepc.com>; jennifer.hanley@ulteig.com
Subject: [External] RE: NDDOT Project 7-804(053)900, PCN 20788

External Email - Use caution clicking links or opening attachments
Thank you Megan; I have forwarded your information onto Monte.

Wayne Zacher
(701) 328-4828

From: Megan Milbradt <MMilbradt@bepc.com>
Sent: Tuesday, January 22, 2019 2:23 PM
To: jennifer.hanley@ulteig.com
Cc: Zacher, Wayne A. <wzacher@nd.gov>
Subject: NDDOT Project 7-804(053)900, PCN 20788

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Hi Jennifer,

I received your letter in regards to the subject project. BEPC does have two transmission lines that the proposed roadway route will cross. Please keep me updated on the progress and details of this project as they become known. I can provide further details on the location of our lines, if needed, as well.

Also, will you please alert the NDDOT to update the contact info for future projects to myself. This letter was addressed to Duey Marthaller who retired several years ago.

Thank you!

Megan Milbradt
Civil Engineer
Basin Electric Power Cooperative
Engineering Services
1717 E Interstate Avenue | Bismarck, ND 58503
Direct: 701.557.5783 | Cell: 701.426.3814
mmilbradt@bepc.com | basinelectric.com

Jennifer Hanley

From: Eric Wilson <Eric.Wilson@Midco.com>
Sent: Thursday, January 24, 2019 8:37 AM
To: Jennifer Hanley
Subject: Williston NE truck Route
Attachments: 57th St NW.pdf

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Hey Jennifer

1 Robert forward me a message that you sent him about the NE truck route. After looking at the route, it looks like the only things we have near it is on 57th St NW. All are fibers are on the South side of the road and only goes as far as SM Energy. I attached a map of the area and where are lines are located. You'll see on the map that the green lines show where are trenches are located and the red lines just show that there is fiber in those trenches. If you have any questions about this let me know.

Thanks

Eric Wilson
CONSTRUCTION COORDINATOR II

Office: 701.339.7619
Eric.Wilson@Midco.com

Midco.com

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136TH AVE NW
136TH AVE NW
WILLISTON NORTH LDG
WILLISTON NORTH LDG
WILLISTON NORTH LDG
WILLISTON NORTH LDG
WILLISTON NORTH LDG
57TH ST NW
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57TH ST NW
57TH ST NW
57TH ST NW
57TH ST NW
2ND AVE W
2ND AVE W
2ND AVE W
LOVES WAY
DEPOT LN

MIDCO®

Jennifer Hanley

From: McIlvain, Corey <Corey.McIlvain@chsinc.com>
Sent: Friday, January 25, 2019 4:11 PM
To: Jennifer Hanley
Subject: Cenex Pipeline Response

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Project No. 7-804(053)900, PCN 20788
Williston NE Truck Reliever Route – US 2 to ND 1804
Williams County

Thank you for your letter dated January 16, 2019, per the description and routes shown on the maps you provided Cenex Pipeline does not have any utilities within the project limits.

1 However, Cenex Pipeline is in the process of building a new high pressure 10" pipeline approximately 8,000 feet north of your project.

Please keep me updated if the scope of this project changes.

Also, please update your records with my name and contact information and please remove John Traeger.

Thanks,

Corey

Corey D McIlvain
Manager, Pipeline Operations
CHS – Pipeline and Terminals
803 Highway 212 South
Laurel, MT 5944

406-628-5286
corey.mcilvain@chsinc.com

811 Know what's below. Call before you dig.

Safety comes in a can! I can, you can, we can be safe!

Comment Letter ZZ

CITY OF WILLISTON ENGINEERING

January 30, 2019

Ms. Jennifer Hanley, PE
Ulteig
3350 38th Ave S
Fargo, ND 58104

Subject: Williston NE Truck Reliever Route – US 2 to ND 1804
Williams County
Project No. 7-804(053)900, PCN 20788
City of Williston Comments

Dear Ms. Hanley:

The City of Williston has reviewed the requested information as detailed in your letter dated January 16, 2019 and offer the following comments:

1 - Storm Water Infrastructure:
  - A storm sewer culvert exists under the drive approach to Loves Truck Stop at the access point, south of 57th Street (size, material and exact location to be verified.)
  - An inlet storm water line exists intercepting flows from the ditch located in the south boulevard of 57th Street. This storm sewer pipe then runs south along Loves Way (size, material and exact location to be verified.)

2 - Sanitary Sewer Infrastructure:
  - At the intersection of Loves Way and 57th Street, a sanitary sewer is stubbed out and capped for future connections across 57th Street. The Stub is from a manhole located along Loves Way just south of 57th Street. It is believed that this stub is a 10" PVC line approximately 10' deep. Again, size, material, exact location and depth will need to be verified.

3 - Water Main Infrastructure:
  - At the intersection of Loves Way and 57th Street, a water main line is stubbed out and capped for future connections across 57th Street. The Stub is from a gate valve located along Loves Way just south of 57th Street. It is believed that this stub is a 12" PVC line approximately 8'-9' deep. Size, material, exact location and depth will need to be verified.
  - A 12" PVC water main exist just south of the existing 57th Street Right-of-Way from Love Way to the east approximately 3070 Feet. This water main was installed as part of the future development of Camp Creek Industrial Park located east of Loves and South of 57th Street.

4

- Access:
  - There are currently two access points into the Camp Creek Industrial Park that are not intended for any future use. These access points would not need to be re-established with the new bypass route as access into these parcels are to be provided from Camp Drive.

As a general note, any realignment or additional right of way acquisition on the south side of 57th Street from Loves Way to the east along the length of the water main which would impact the water main would require the water main to be relocated. Please see attached map for reference.

The City is not aware of any other, utilities or facilities that are owned and maintained by the City along the proposed route.

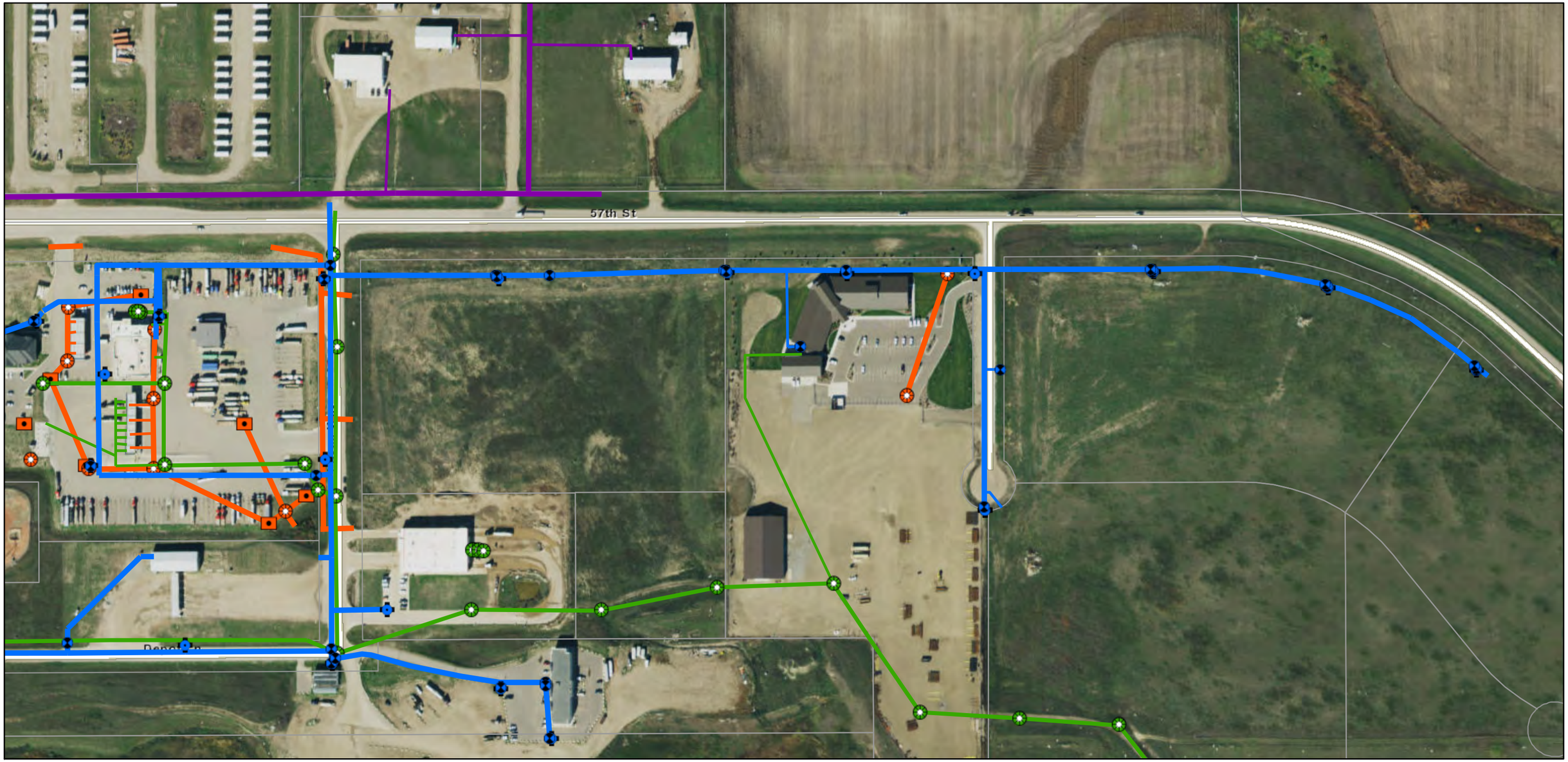
If you have any additional questions or concerns, please fell free to contact me at your convivence.

Sincerely,

David Wicke, PE – City Engineer
City of Williston, ND

Enclosure: As noted

ArcGIS Web Map



1/30/2019 12:02:07 PM

- COWwater - WTR_WGV
- COWwater - WTR_CS
- COWwater - WTR_HYD
- COWwater - WTR_MAIN
- COWwater - WTR_SERV
- COWsanitarysewer - SASMH

COWsanitarysewer - SAS_MAIN

- No
- COWsanitarysewer - SAS_SERVICE
- COWstorm - STS_MH
- COWstorm - STS_INLET
- COWstorm - STS_MAIN
- COWstorm - STS_LEAD

COWruralwater - WRW_Valves

- Field Survey - Found; Field Survey - Verified
- Field Survey - Found; Field Survey - Verified
- Field Survey - Not Located
- <all other values>
- COWruralwater - WRW_Pipes
- COWruralwater - RW_SER

- Williams County Parcels

County and City Roads - Very Large Scale

- Graded, Drained
- Gravel
- Unknown
- Paved
- Trail

1:4,514

0 0.04 0.07 0.14 mi

0 0.05 0.1 0.2 km

North Dakota state agencies and the ND GIS Hub

Web AppBuilder for ArcGIS

North Dakota state agencies and the ND GIS Hub |

January 16, 2019

David Wicke Public Works and Engineering
City of Williston Public Works & Engineering
PO Box 2437
Williston, ND 58802-2437

JAN 2 2 2019

PROJECT NO. 7-804(053)900, PCN 20788
WILLISTON NE TRUCK RELIEVER ROUTE – US 2 TO ND 1804
WILLIAMS COUNTY

Please be advised that the North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is proposing a roadway improvement for a northeast truck reliever route from US Highway 2 to North Dakota Highway 1804. The project was initiated in 2014. Utilities were solicited for information in 2014. Since 2014, several concept corridors have been evaluated and 3 alignments have been carried forward in the Environmental Assessment (EA) including a preferred alignment (see attached project location map). We are currently in the draft phase of the EA.

The project consists of developing an EA, which would analyze the potential environmental, social, and economic impacts of constructing a truck reliever route (TRR) northeast of Williston (see enclosed map). The alignment will include new and existing roadway corridors. Existing alignment will be structurally improved and potentially widened to handle the traffic type expected to use the TRR. New alignment will include surfacing with hot bituminous pavement (HBP) or concrete over new aggregate base with drainage improvements where needed. The new alignment will either be a 2-lane or 4-lane facility. The EA evaluates a 4-lane facility. There will be grading throughout the corridor, including clearing and topsoil removal during site preparation. Temporary erosion control measures will be implemented during construction. The entire site will be seeded with a NDDOT approved seed mixture upon construction completion. The project will also include a newly constructed bridge to replace the current bridge on Williams County Road 6 and a new Burlington Northern/Santa Fe (BNSF) railroad grade separated crossing. At this time, no detours or road closures are anticipated.

This project is currently not funded, and a construction date has not been identified.

The design for this project is at a very preliminary stage and utility conflicts have not yet been determined. The intent is to design around utility facilities wherever possible, feasible, and within acceptable design standards to avoid relocation or adjustment of utilities without changing the scope of the project.

Our records indicate that you may have facilities within the project limits. Please review the attached preliminary information and respond to this letter stating if you have or don't have facilities within the project limits. If you have any facilities in this area, please send information to me along with any concerns or comments pertaining to the project so they may be incorporated into the project. In addition, please send the contact information for you company.

Additional Contact information for this project are as follows:
Designer: Josh Kueber, Ulteig, 701-280-8542

NDDOT Technical Representative: Wayne Zacher, 701-328-4828

Planned NDDOT projects can be found on the Statewide Transportation Improvement Program (STIP) on the NDDOT website at http://www.dot.nd.gov/ under the "Manuals and Publications" link.

Please send me any comments or concerns you may have regarding the project to the address below.

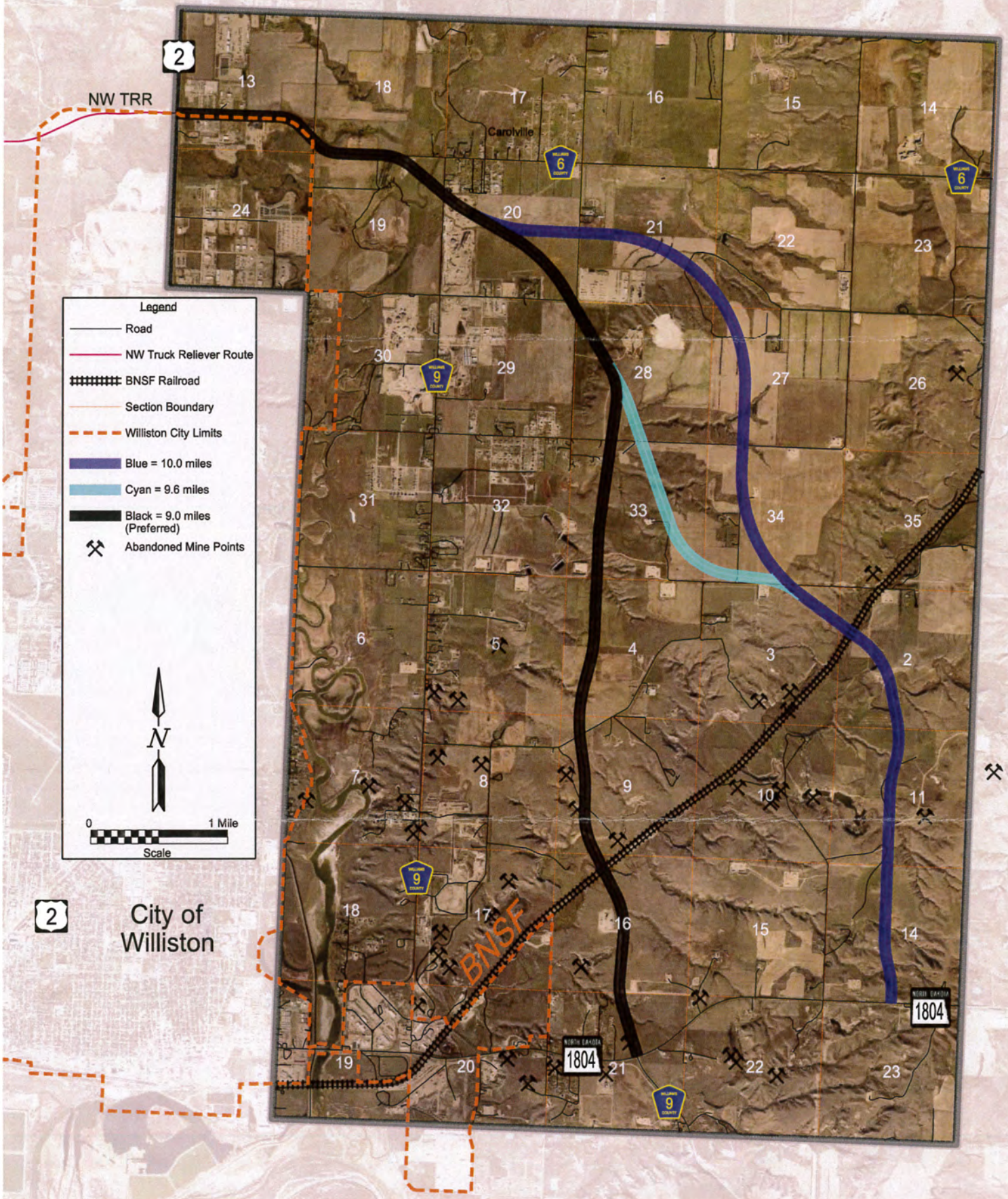
Jennifer Hanley

Jennifer Hanley, PE
Ulteig Engineers, Inc.
3350 38th Ave S, Fargo, ND 58104
701-280-8582
jennifer.hanley@ulteig.com

Attachments:

- Project Study Area Map

Potential Williston Northeast TRR Alternatives



Comment Letter AAA
A

North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
(701) 328-2750 • TTY 1-800-366-6888 or 711 • FAX (701) 328-3696 • http://swc.nd.gov

February 6, 2019

Jennifer Hanley
Ulteig Engineers, Inc.
3350 38 Avenue S
Fargo, ND 58104

Dear Ms. Hanley:

This is in response to your request for a review of the environmental impacts associated with the Project No. 7-804(053)900, PCN 20788, Williston NE Truck Reliever Route – US 2 to ND 1804 project located in Williams County, ND.

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

1 - Initial review indicates no conflict with State Water Commission hydrologic monitoring sites.

2 - Through the National Flood Insurance Program (NFIP), a floodplain permit is required for all development that takes place within a Special Flood Hazard Area, as identified by FEMA. The minimum NFIP requirements can be found in Chapter 44 of the Code of Federal Regulations (mostly within Parts 59 and 60). Please work with the local floodplain administrators for additional information and permit requirements. The floodplain administrator for Williams County is Sam Henderson, Senior Planner, 701-577-4565. The floodplain administrator for the City of Williston is Richard Kimball, Building Inspector, 701-577-8115.

3 - The Office of the State Engineer (OSE) Engineering and Permitting Section reviewed the proposed project routes and determined that the proposed project route could traverse over or through surface water resources. The OSE requests to be notified regarding the proposed project's impacts, if any, to water resources such as watercourses (i.e. streams or rivers), agricultural drains, and wetlands (i.e. ponds, sloughs, lakes, or any series thereof) as any alterations, modifications, improvements, or impacts to those water resources may require a drainage permit(s) or a construction permit(s) from the OSE. For further information on the OSE's permitting requirements, please visit the Regulation & Appropriation tab on the OSE's website (swc.nd.gov). Please contact Brian Mager at bmager@nd.gov or 701-328-3442 if you have questions regarding this comment.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4967 or jjhuibregtse@nd.gov.

Sincerely,

Jared Huibregtse
Water Resource Planner IV

JH:dm/1570

Comment Letter BB AA

From: Jen Hanley
To: Josh Kueber
Cc: Amy J. Denz
Subject: FW: Williston NE Truck Reliever Route - US 2 to ND 1804
Date: Tuesday, March 19, 2019 1:42:48 PM
Attachments: Hwy 2 to 1804 bypass.pdf

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Jen Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582

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From: Monson, Jacob <jacob.monson@wawsp.com>
Sent: Tuesday, March 19, 2019 9:10 AM
To: Jen Hanley <Jennifer.Hanley@Ulteig.com>
Cc: Kleyer, Nathan <nathan.kleyer@wawsp.com>; Wilson, Curtis <curtis.wilson@wawsp.com>
Subject: Williston NE Truck Reliever Route - US 2 to ND 1804

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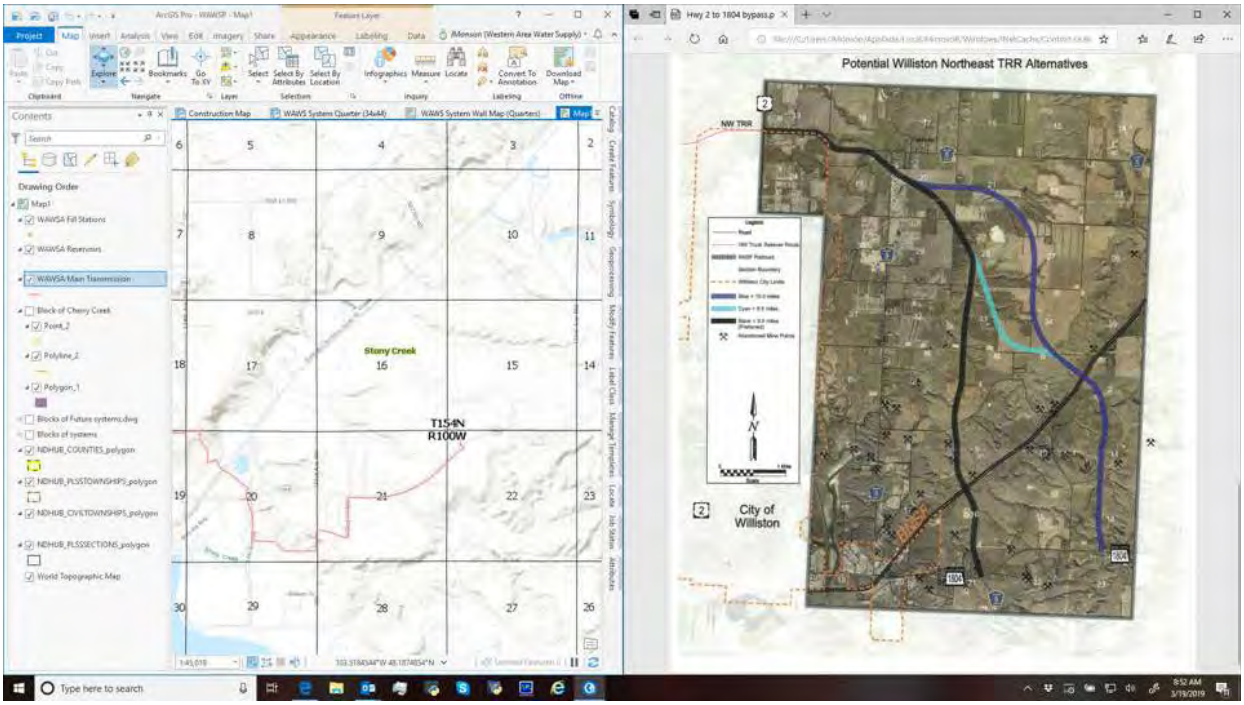
Hello Jennifer,

1 Please see this link to access electronic data files of the facilities and pipelines under WAWSA's management in the area of the project discussed in the attached notification. But based on the following screenshot, it seems that all your preliminary planned routes will have little (if any) effect on WAWSA infrastructure:



The only apparent relevance concerns your preferred route and our pipeline in section 21 of 154-100; however, even here, it seems that the planned road would intersect 1804 from the north whereas our pipeline runs on the south side of 1804.

2 Finally, please note that WAWSA's pipelines and facilities are NOT the only water-related infrastructure in the area of your project. You will be probably be

dealing a great amount with that of Northwest Rural Water District (NWRWD). They, of course, have the most accurate and up-to-date information/data of their pipelines and facilities.

Let me know of any questions or concerns you may have.

Sincerely,
Jacob Monson
Western Area Water Supply Authority
(701) 774-6605 (ext. 206)

Comment Letter CCA

Targa Resources
811 Louisiana, Suite 2100
Houston, TX 77002-1400
713.584.1000
www.targaresources.com

March 21, 2019

Ulteig Engineers, Inc.
Attn: Jennifer Hanley, PE
3350 38th Avenue South
Fargo, ND 58104

RE: Project No. 7-804(053)900, PCN 20788
Williston NE Truck Reliever Route – US 2 to ND 1804
Williams County, North Dakota

Dear Ms. Hanley,

Thank you for your letter dated January 16, 2019 advising us that the North Dakota Department of Transportation is proposing a roadway improvement project in Williams County, North Dakota.

1 Targa Badlands LLC does not currently have any facilities in Township 155 North - Range 100 West or Township 154 North – Range 100 West, both situated in Williams County, North Dakota.

Should you have any additional questions, please do not hesitate to contact me at 713.584.1609 or mhopkins@targaresources.com.

Respectfully yours,
TARGA BADLANDS LLC

Marianne Hopkins
Manager – Land and Right-of-Way

Comment Letter DD AA

From: Samuel Henderson
To: Kristina DeName
Cc: Amy J. Denz
Subject: RE: Floodplain question for the Truck Reliever Route Project
Date: Thursday, April 18, 2019 2:14:49 PM

[CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Ms. DeName,

1 Per our phone conversation there is no FEMA floodplain along those parts of the proposed routes in the county's jurisdiction. Because there is no FEMA floodplain, a floodplain development permit from Williams County would not normally be required for development.

2 However, as I mentioned if there are engineering studies done on any of the coulees or named tributaries to the Little Muddy or Missouri Rivers in the project area, for example studies by the US Army Corps of Engineers, if there are studies done for the bypass project, etc., that establish a floodway or floodplain then a floodplain development permit would be required from the county.

Please let me know if you have any further questions.

Respectfully,

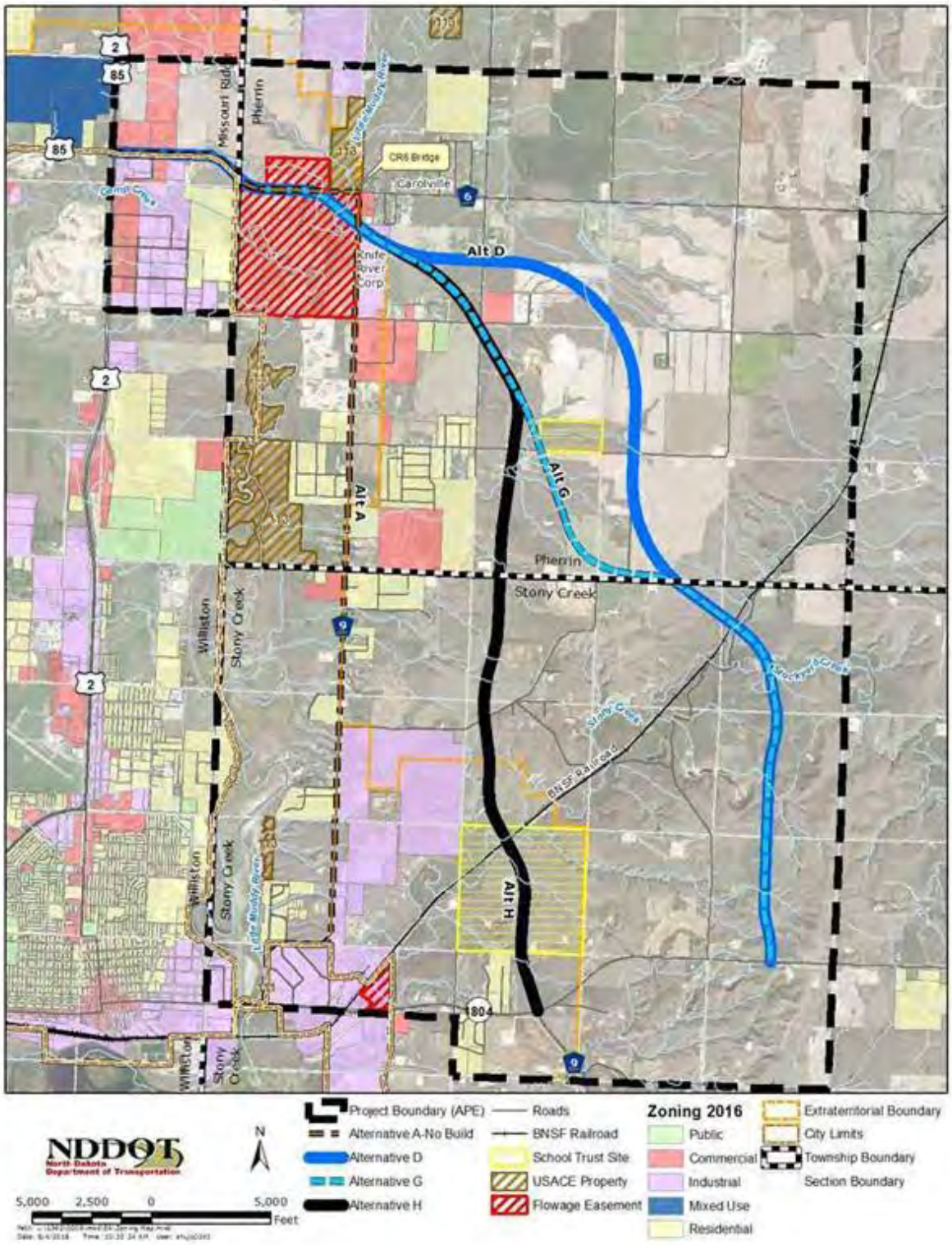
Sam Henderson, MPA, AICP, CFM
Planning Official
Development Services Department
Planning & Zoning Division
206 East Broadway, Williston, ND 58801
701.577.4565 | www.williamsnd.com

From: Kristina DeName <kdename@wenck.com>
Sent: Thursday, April 18, 2019 10:13 AM
To: Samuel Henderson <samuelh@co.williams.nd.us>
Cc: Amy J. Denz <adenz@wenck.com>
Subject: Floodplain question for the Truck Reliever Route Project

Hi Sam,

Thank you for taking the time to speak with me regarding the North Dakota Department of Transportation Truck Reliever Route Project (Project). Specifically, we are wondering if Williams County has any mapped floodplains in the Project area, and if so, would any permits be required.

The Project area is defined by the black hash lines in the figure below. Currently the temporary truck reliver route (TRR) travels north from ND 1804 along CR 9, and connects to CR 6. The temporary TRR represents Alternative A which is the no-build alternative (see attached). Additionally, there are several other alternative TRRs that are being considered for the Project; Alternatives D, G, and H (see attached). All alternatives travel north from ND 1804 and converge at CR 6 which is within Williston's city limits. We are working with the City to obtain floodplain information and permitting requirements as well.



Please advise if any floodplain permits are required or if you need additional information. I can be reached at kdename@wenck.com or 914-438-4681. Thank you for your attention to this matter.

Sincerely,

Kristina

Kristina DeName
Project Manager/Senior Environmental Analyst

WENCK

kdename@wenck.com D| 763.252.6824 C| 914.438.4681
7500 Olson Memorial Highway | Suite 300 | Golden Valley, MN 55427

Appendix J

Public Input Meeting Information and Public Comments

Public Input Meeting #1 Information and Comments/Responses (June 25, 2015)

Affidavit of Publication
Press Release
Williston Herald Notice
Public Input Meeting Handout
Presentation Slides
Roster/Sign in Sheets
Meeting Notes
Public Meeting #1 Comments

NDNA
NORTH DAKOTA NEWSPAPER ASSOCIATION

Affidavit of Publication

Colleen Park, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.

2. The newspapers listed on the exhibits published the advertisement of: **Ulteig – ND Transportation Department – Williston NE Truck Reliever Route; 1** time(s) as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: Colleen Park

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 16 day of June, 20 15.

Sharon L. Peterson

SHARON L. PETERSON
Notary Public
State of North Dakota
My Commission Expires Nov. 8, 2017

Press Release Template for NDDOT projects

North Dakota Department of Transportation or Consultant sending out the press release

For more information:
Jennifer Hanley, Ulteig 701-280-8582
Peggy Anderson, NDDOT Director of Communications 701-328-4322

Public Input Meeting to be held on June 25, 2015 to discuss Proposed Williston Northeast Truck Reliever Route in Williston, ND.

A Public Input Meeting will be held from 5:00pm to 7:00pm on March 24, 2015 at the Williston Area Recreation Center. The Public Input Meeting will utilize an open house format with a formal presentation at 5:30pm.

The purpose of the Public Input Meeting is to discuss the proposed Williston Northeast Truck Reliever Route. The Public Input Meeting will provide opportunity for public input. Staff from NDDOT, the City of Williston, Williams County, FHWA, and Ulteig Engineers will be available to answer questions.

If unable to attend the Public Input Meeting, written statements or comments must be mailed by July 10, 2015 to Jennifer Hanley, PE, Ulteig Engineers, 3350 38th Ave S, Fargo, ND 58104 or at jennifer.hanley@ulteig.com with “Public Input Meeting” in the e-mail subject heading.

The North Dakota Department of Transportation (NDDOT) will consider every request for reasonable accommodation to provide:

- an accessible meeting facility or other accommodation for people with disabilities,
- language interpretation for people with limited English proficiency (LEP), and
- translations of written material necessary to access NDDOT programs and information.
- To request accommodations, contact Paula Messmer, Civil Rights Division, NDDOT, at (701) 328-2978 or civilrights@nd.gov

. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Maps of property will be available to the public for inspection and copying from Monday through Thursday, 8 AM to 5 PM and Fridays, 8 AM to 1 PM in the office of the Planning and Zoning Department.
If you plan to attend the hearing and will need special facilities of assistance relating to a disability, contact City Hall at 701-577-8104 or through the TDD State Relay at 711.
BY ORDER OF THE WILLISTON CITY COMMISSION
By: -s- JOHN KAUTZMAN
John Kautzman
City Auditor

(June 3, 8, 2015)

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City Commission of the City of Williston, North Dakota, will hold a public hearing on Tuesday June 9, 2015, at 6:00 PM C.T., in the Commission Room of City Hall, to consider a zone change from C-3: Restricted Commercial to R-3: Lowrise Multifamily Residential, for Lot 6, Block 7 of the University Commons Subdivision, containing 2.71 acres and located at 1st Ave W and 34th Street, City of Williston.

LOCATION MAP

Maps of property will be available to the public for inspection and copying from Monday through Thursday, 8 AM to 5 PM and Fridays, 8 AM to 1 PM in the office of the Planning and Zoning Department.
If you plan to attend the hearing and will need special facilities of assistance relating to a disability, contact City Hall at 701-577-8104 or through the TDD State Relay at 711.
BY ORDER OF THE WILLISTON CITY COMMISSION
By: -s- JOHN KAUTZMAN
John Kautzman
City Auditor

(June 3, 8, 2015)

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City Commission of the City of Williston, North Dakota, will hold a public hearing on Tuesday June 9, 2015, at 6:00PM C.T., in the Commission Room of City Hall, to consider a zone change of a 0.5 acre parcel in the SW1/4SW1/4 of Section 1, T154N R101W, located north of 42nd St W, and west of Main St from M-1: Light Industrial to C-2: General Commercial.

LOCATION MAP

Maps of property will be available to the public for inspection and copying from Monday through Thursday, 8 AM to 5 PM and Fridays, 8 AM to 1 PM in the office of the Planning and Zoning Department.
If you plan to attend the hearing and will need special facilities of assistance relating to a disability, contact City Hall at 701-577-8104 or through the TDD State Relay at 711.
BY ORDER OF THE WILLISTON CITY COMMISSION
By: -s- JOHN KAUTZMAN
John Kautzman
City Auditor

(June 3, 8, 2015)

PUBLIC INPUT MEETING

WHY?

To discuss the proposed Williston NE Truck Reliever Route. The project consists of potential new highway alignment, improving or replacing existing bridges, and a new crossing of the BNSF railroad.

WHEN?

Thursday, June 25, 2015
Formal Presentation 5:30 p.m. to 6:00 p.m.
Open House: 5:00 p.m. to 7:00 p.m.

WHERE?

Williston Area Recreation Center (ARC)
822 18th Street East
Williston, ND 58802

OPEN HOUSE CONDUCTED BY

ND Department of Transportation (NDDOT), the City of Williston, Williams County, FHWA, and Ulteig Engineers, Inc.

This meeting is designed to allow for public input which is required for compliance with the National Environmental Policy Act of 1970 and National Historic Preservation Act of 1966.

Representatives from the NDDOT and Ulteig will be on hand to answer your questions and discuss your concerns.

WRITTEN STATEMENTS or comments about this project must be mailed by Wednesday, July 10, 2015, to Jennifer Hanley, PE, Ulteig Engineers, Inc, 3350 38th Ave S, Fargo, ND 58104.
Email: jennifer.hanley@ulteig.com
Note "Public Input Meeting" in email subject heading.

The North Dakota Department of Transportation (NDDOT) will consider every request for reasonable accommodation to provide:

- an accessible meeting facility or other accommodation for people with disabilities,
- language interpretation for people with limited English proficiency (LEP), and
- translations of written material necessary to access NDDOT programs and information.

Appropriate provisions will be considered when the Department is notified at least 10 days prior to the meeting date or the date the written material translation is needed.

To request accommodations, contact Paula Messmer, Civil Rights Division, NDDOT, at (701) 328-2978 or civilrights@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Public Input Meeting

Williston Northeast Truck Reliever Route (TRR)
Environmental Assessment
7-804(053)900, PCN 20788

NDDOT
North Dakota
Department of Transportation

Ulteig
Engineering, Surveying, and Consulting Services

City of WILLISTON

Williams
COUNTY NORTH DAKOTA

Williston Northeast (NE) Truck Reliever Route (TRR) Public Input Meeting

Completed Activities

The planning effort was initiated in October 2014 with a field review. Publically available land use and environmental data has been collected and compiled into one GIS based map. As data is collected during our field surveys, the new information will be loaded into the map. Other activities that are ongoing are traffic operations analysis, purpose and need, and agency coordination.

Public Input Meeting Agenda

1. Open House 5:00 pm
2. Formal Presentation 5:15 pm
   - Introductions
   - Project Overview
   - NEPA
   - Purpose & Need
   - Project Area
   - Mapping Tools & Models
   - Route Ideas

Project Description

Project: Williston NE TRR
Distance: from ND 1804 to US 2/NW TRR

Project Schedule

Environmental Process Complete Fall 2015

Purpose of Project

The purpose of the proposed project is to alleviate truck traffic within the city of Williston by connecting ND 1804 on the east side of the city to US 2/85 and also to the Williston NW TRR. Connection to the Williston NW TRR would create a full TRR around the city for better overall transportation system linkage. A TRR would require a high speed, limited access roadway with capacity to accommodate existing and future traffic demand, while maintaining compatibility with local land use and economic development plans that consider future growth.

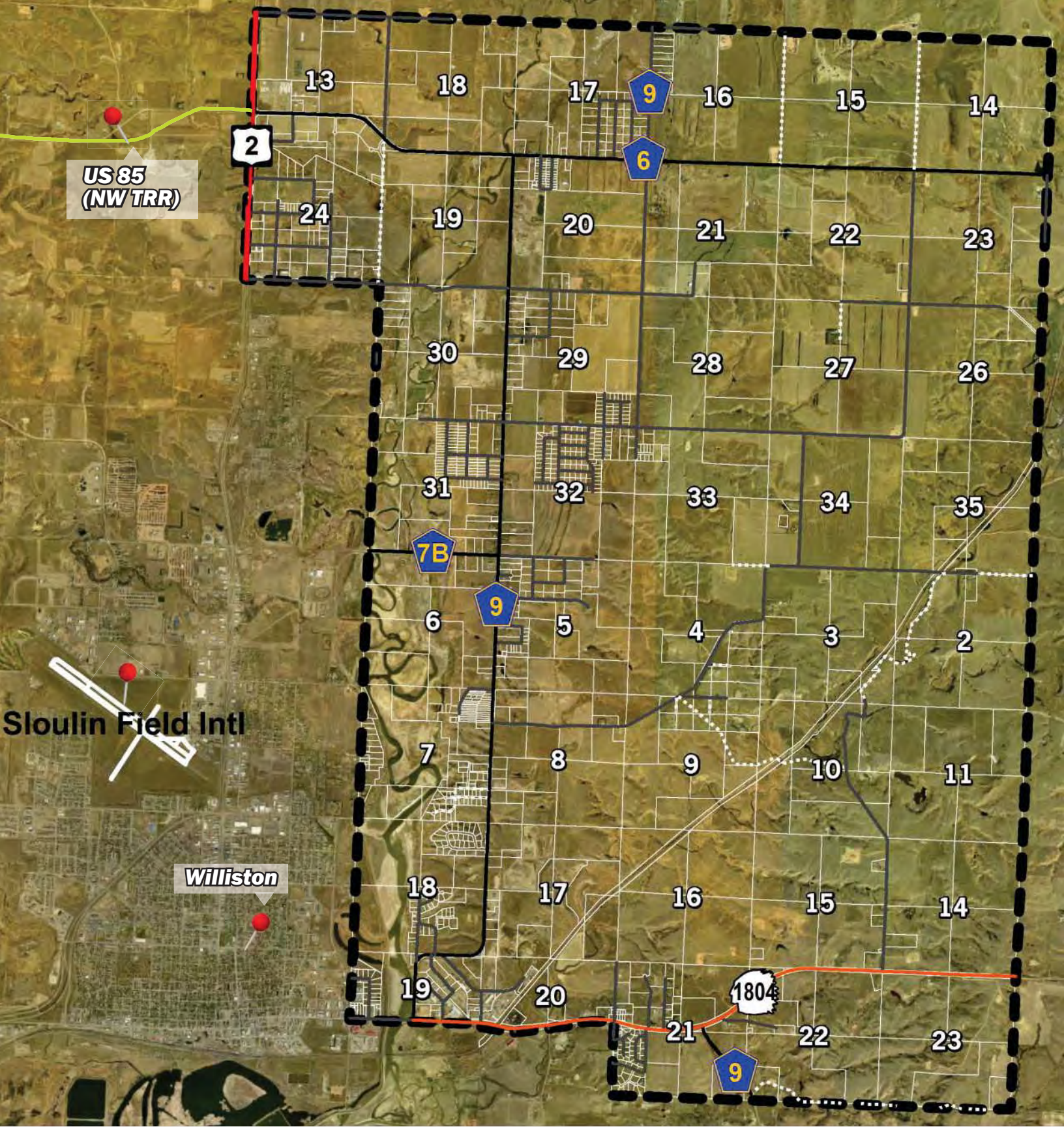
Public Input Opportunities

Your input at this meeting is important. You have the opportunity to influence the decisions of this study and the selection of improvements that will ultimately be implemented.

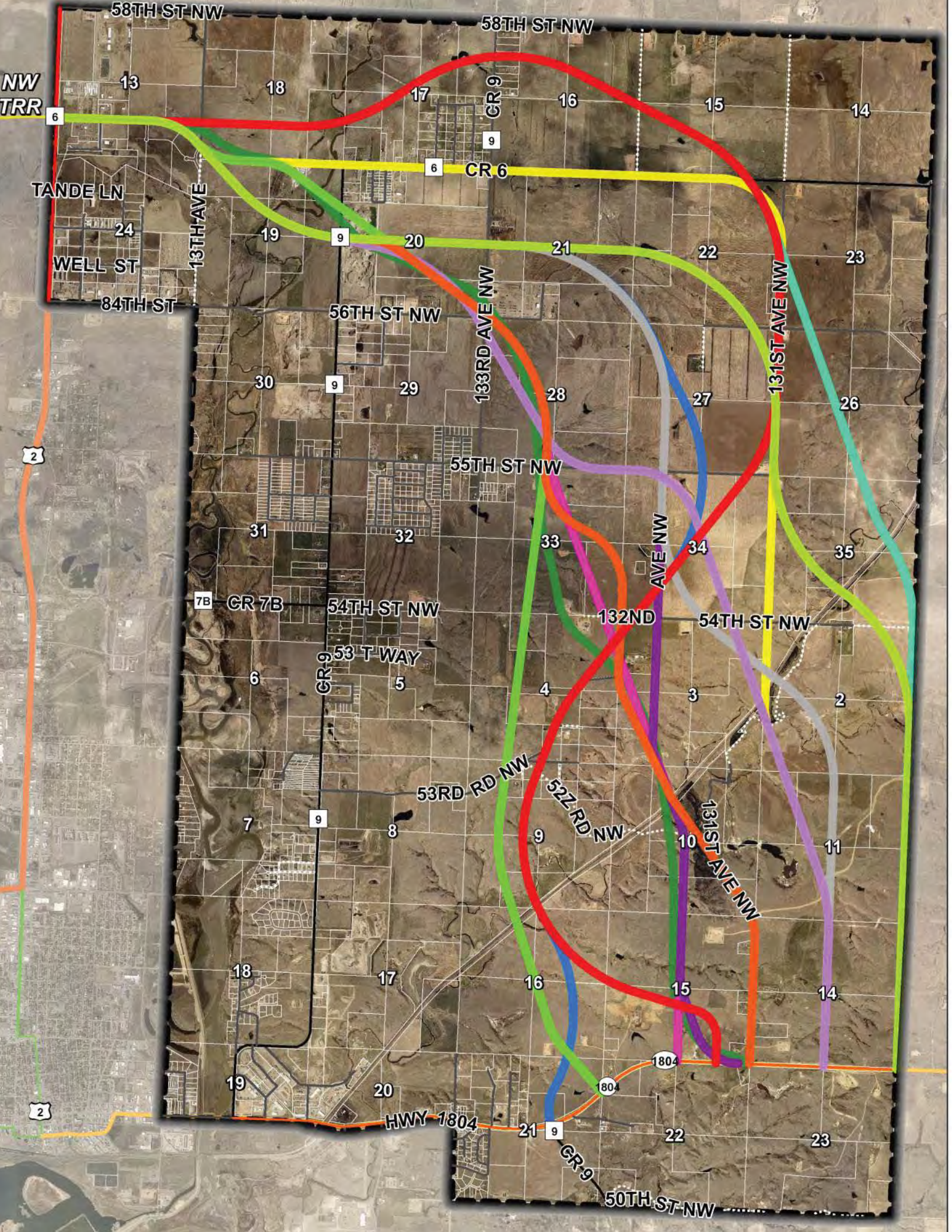
Contact Information

Jen Hanley, PE
Phone: 701.280.8582
Email: jennifer.hanley@ulteig.com

Ulteig
3350 38th Ave S
Fargo, ND 58104



Project Area Map


58TH ST NW
58TH ST NW
NW
TRR
CR 9
CR 6
TANDE LN
13TH AVE
WELL ST
84TH ST
56TH ST NW
133RD AVE NW
131ST AVE NW
55TH ST NW
CR 7B
54TH ST NW
132ND
54TH ST NW
53 T WAY
CR 9
53RD RD NW
52Z RD NW
131ST AVE NW
HWY 1804
CR 9
50TH ST NW

Williston NE TRR Public Input Meeting #1

June 25, 2015

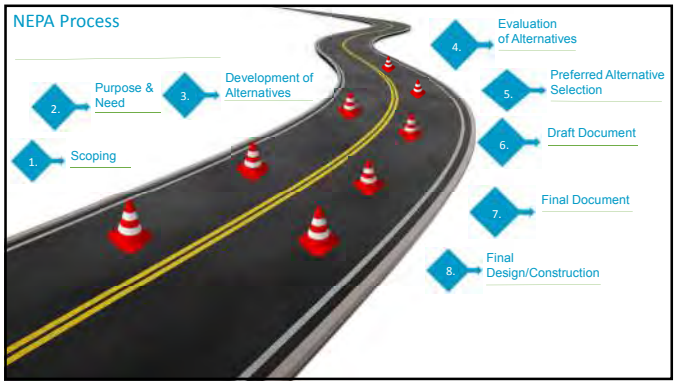
Introductions

- Wayne Zacher – NDDOT Technical Representative
- Jennifer Hanley – Ulteig Consultant Project Manager

Presentation Overview

- Project Overview
- National Environmental Policy Act (NEPA) Process
- Purpose & Need
- Project Area
- Mapping Tools & Models
- Route Ideas

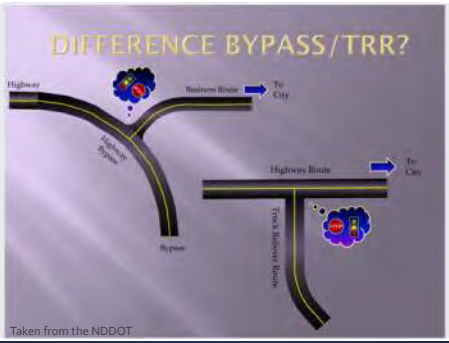
Project Overview



Purpose & Need

- Increased congestion in downtown Williston
- Creating a full "bypass/truck reliever route" around Williston

Bypass vs Truck Reliever Route (TRR)

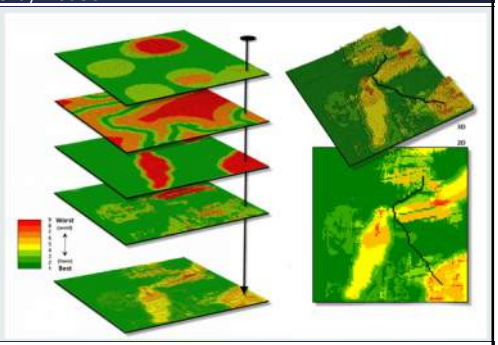


Taken from the NDDOT

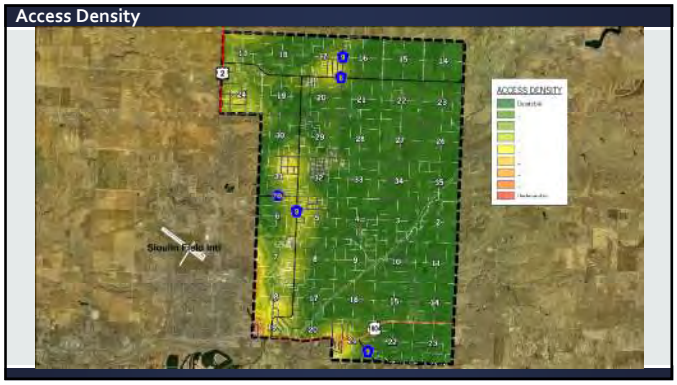
Project Area

Mapping Tools & Overlay Models

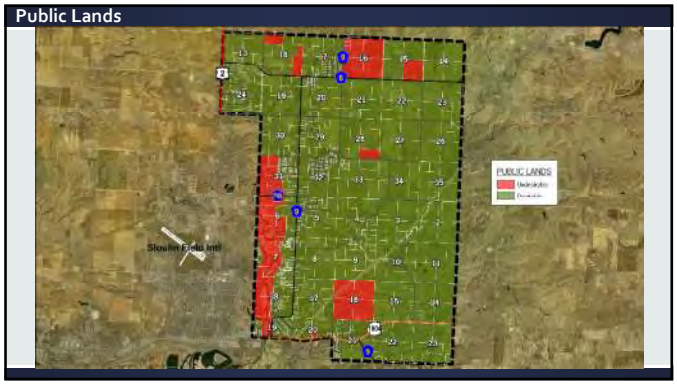
An overlay analysis allows multiple layers of data to be compared to identify commonalities between different factors to show lowest to highest suitability.



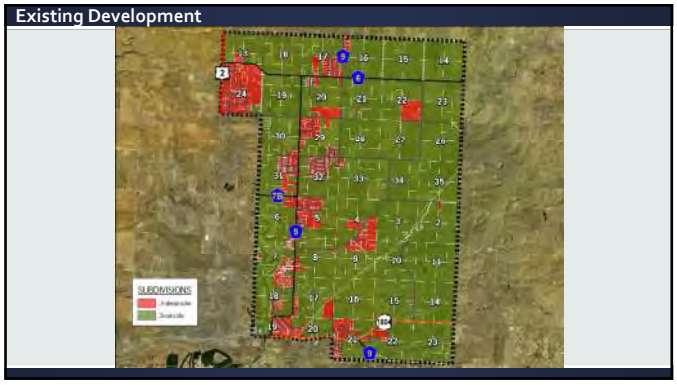
Access Density



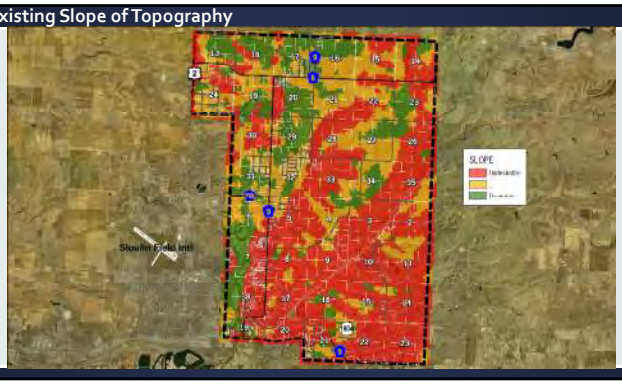
Public Lands



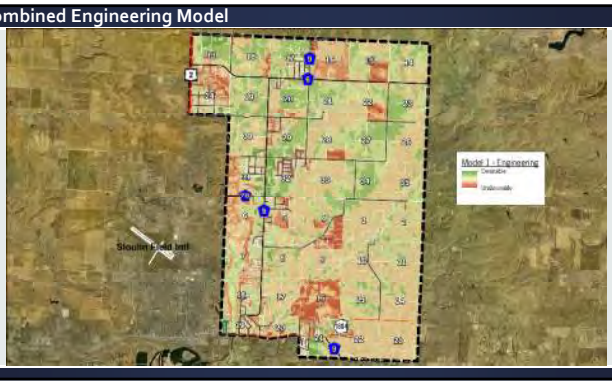
Existing Development



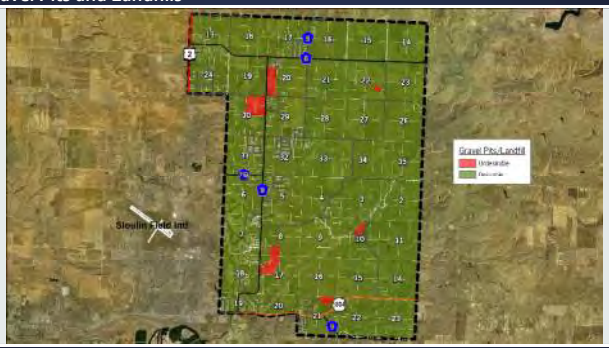
Existing Slope of Topography



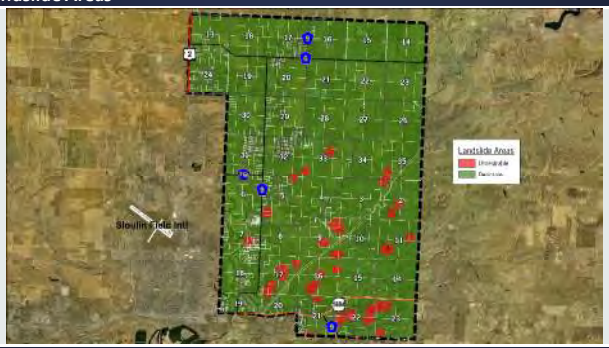
Combined Engineering Model



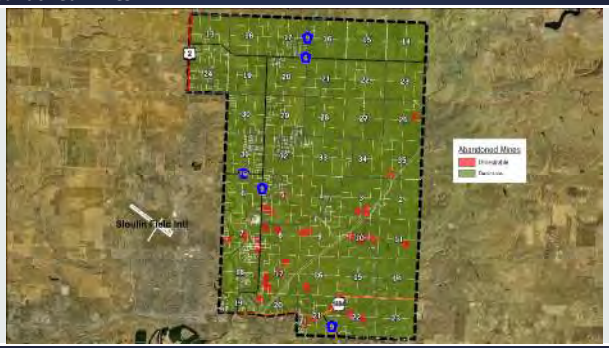
Gravel Pits and Landfills



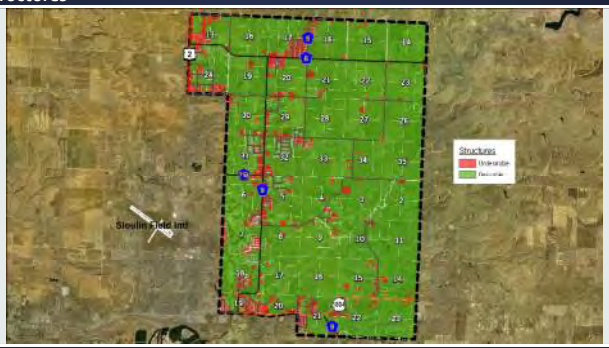
Landslide Areas



Abandoned Mines

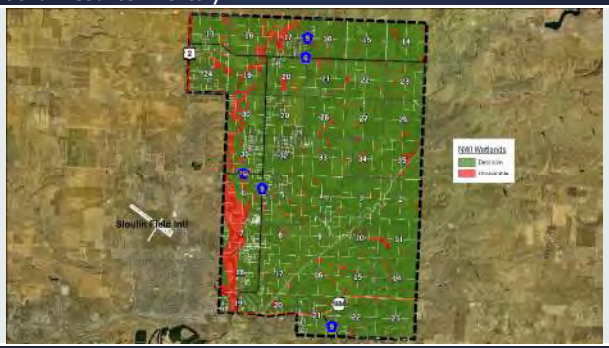


Structures

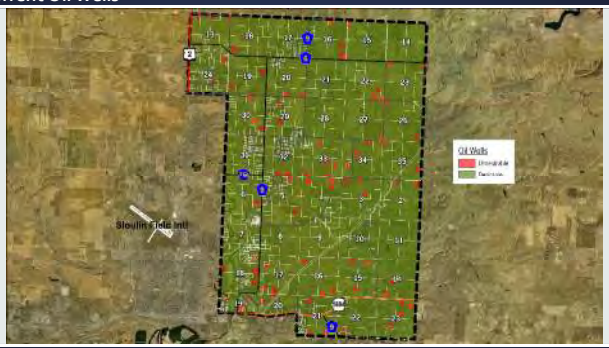


Parks

National Wetlands Inventory



Current Oil Wells



Combined Environmental Model

Temporary Route

Issues

- 13.5 accesses per mile
- Development along corridor
- Not designed for 65 mph
- Steeper slopes
- Adjacent to reservoir flood storage
- Limits future east expansion of City of Williston

All Routes

Please send comments no later than Friday, July 10 to:

Jennifer Hanley, PE
Ulteig Engineers, Inc.
3350 38th Ave S
Fargo, ND 58104

Email: jennifer.hanley@ulteig.com

Phone: 701-280-8582

Wayne Zacher, PE
NDDOT
608 E Boulevard Ave
Bismarck, ND 58505

Email: wzacher@nd.gov

Phone: 701-328-4828

Thank You!

We appreciate your time and commitment to helping us reach the best possible alterative for the State, Region, and City of Williston.

Williston NE TRR
Public Input Meeting #1

June 25, 2015

SIGN-IN SHEET

North Dakota Department of Transportation, Civil Rights Division

SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)	Title/Representing		
Josh Kueber	Ulteig		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
DAVE RUFFIE	SELF		
Address 13214 53RD LN. NW			
City WILLISTON	State ND	Zip code 58801	Email dtruffie@hotmail.com

Name (Please print)	Title/Representing		
Donna Hansen	Self		
Address P.O. Box 1908			
City Williston	State ND	Zip code 58802	Email hansensunltd@nccray.net

Name (Please print)	Title/Representing		
Wayne Aberle	WMS Co. Commission		
Address 1003 Sioux Str			
City Williston	State ND	Zip code 58800	Email waynearberle@hotmail.com

Name (Please print)	Title/Representing		
HOWARD KING	WILLISTON		
Address 1422 1ST AVE W			
City WILLISTON	State ND	Zip code 58801	Email howardking@hotmail.com

Name (Please print)	Title/Representing		
Kent Leben	NDDOT		
Address			
City Bismarck	State	Zip code	Email KHLEBEN@ND.GOV

Name (Please print)	Title/Representing		
Tom Rolfstad	SELF		
Address PO BOX 2458			
City Williston	State ND	Zip code 58802	Email TomR@RolfstadGroup.com

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)	Title/Representing		
Mark Ellis	owner		
Address: 5658 133rd Ave NW			
City: Williston	State: ND	Zip code: 58801	Email:

Name (Please print)	Title/Representing		
Rory D. Nelson	Governors Office		
Address: 1314 10th Ave W.			
City: Williston	State: ND	Zip code: 58801	Email: 701-570-4158

Name (Please print)	Title/Representing		
Brenda Busching	OWNER		
Address: 5443 132nd Ave NW			
City: Williston	State: ND	Zip code: 58801	Email:

Name (Please print)	Title/Representing		
David + Kaylene Heller	Owner		
Address: 13234 53rd Ln NW Lot 3			
City: Williston	State: ND	Zip code: 58801	Email:

Name (Please print)	Title/Representing		
Ken Hegge	owner		
Address: 13422 Kingsview Lane			
City: Williston	State: ND	Zip code: 58801	Email:

Name (Please print)	Title/Representing		
Jay Larsen	self		
Address: 5374 132nd Ave NW			
City: Williston	State: ND	Zip code: 58801	Email:

Name (Please print)	Title/Representing		
Dan Ackerman	Wenck		
Address: ~~[illegible]~~TH 301 1ST ST. NE # 202			
City: Mandan	State: ND	Zip code: 58554	Email: dackerman@wenck.com

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015
Project Number: 7-804(053)900		PCN: 20788
Project Description: Williston NE TRR		

Name (Please print)	Title/Representing		
Amy Denz	Wenck		
Address: 301 1st St. NE #202			
City: Mandan	State: ND	Zip code: 58554	Email: adenz@wenck.com

Name (Please print)	Title/Representing		
GORDON BROKAW			
Address: 1833 CREST ST			
City: WILLISTON	State: ND	Zip code: 58801	Email: gBROKAW1@HOTMAIL.COM

Name (Please print)	Title/Representing		
Brenda Larson			
Address: 5374 132nd Ave NW			
City: Williston	State: ND	Zip code: 58801	Email

Name (Please print)	Title/Representing		
Julie Fields			
Address: 4996 139th Ave NW			
City: Williston	State: ND	Zip code: 58801	Email

Name (Please print)	Title/Representing		
WAYNE ZACHER	NDDOT		
Address			
City: Williston	State	Zip code	Email: wzacher@nd.gov

Name (Please print)	Title/Representing		
Kelly Hell			
Address: 13262 53rd LN NW			
City: Williston	State: ND	Zip code: 58801	Email

Name (Please print)	Title/Representing		
Terry Metzler	Granite Peak Development		
Address			
City	State	Zip code	Email: Terry@granitepeakdev.com

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015
Project Number: 7-804(053)900		PCN: 20788
Project Description: Williston NE TRR		

Name (Please print)	Title/Representing		
Deanette Piesik	City Commission		
Address: 1813 Rose Lane			
City: Williston	State: ND	Zip code: 58801	Email: deanette.piesik@williston state.edu

Name (Please print)	Title/Representing		
Brent Eslinger	District Manager - Halliburton		
Address: PO Box 2266			
City: Williston	State: ND	Zip code: 58801	Email: Brent.Eslinger@Halliburton.com

Name (Please print)	Title/Representing		
Milton O. Lindvig (& Hilde Mae)	Self		
Address: 2610 Astronaut Dr.			
City: Bismarck	State: ND	Zip code: 58503	Email: mlindvig@bis.midco.net.

Name (Please print)	Title/Representing		
Tawnya Ernst	Sr Geotech Engr STRATA		
Address: 3224 4th St W.			
City: Williston	State: ND	Zip code: 58801	Email: ternst@stratageotech.com

Name (Please print)	Title/Representing		
Travis Alton	Land owner		
Address: 1715 Rose Lane			
City: Williston	State: ND	Zip code: 58801	Email

Name (Please print)	Title/Representing		
Cassie Vogt	NDDOT		
Address			
City: Bismarck	State: ND	Zip code	Email: cjvogt@nd.gov

Name (Please print)	Title/Representing		
JEFF JIRAVA	NDOOT		
Address			
City: BISMARCK	State	Zip code	Email: jjirava@nd.gov

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)	Title/Representing		
~~Amy Deng~~	~~Ulteig~~		
Address ~~1800 Pioneer Creek Center~~			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Bob Christenson	NDDOT		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Jared Cvancara			
Address 5370 B 134th Ave NW			
City Williston	State ND	Zip code 58801	Email

Name (Please print)	Title/Representing		
Dennis Nelson	Williams Co. Hwy		
Address 4996 139th Ave. NW			
City Williston	State ND	Zip code 58801	Email

Name (Please print)	Title/Representing		
Stephanie Flowers	Will. Co. Hwy -		
Address 213 11th St. W			
City Williston	State ND	Zip code 58801	Email

Name (Please print)	Title/Representing		
Sheri Lares	FHWA		
Address ~~[illegible]~~			
City Bismarck	State ND	Zip code 58503	Email sheri.lares@dot.gov

Name (Please print)	Title/Representing		
Donald Kress	Williston Planning Dept		
Address P.O. B 1306 Williston			
City Williston	State	Zip code	Email donaldk@ci.williston.nd.us

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)	Title/Representing		
Floyd N Peterson	Self - W.D. Rep		
Address: 5360 134TH AVE NW			
City: Williston	State: ND	Zip code: 58801	Email: fn.peterson@yahoo.com

Name (Please print)	Title/Representing		
MARTIN HANSON	Wms Co Dist 1 Commissioner		
Address: 7783 141 Ave NW			
City: ZAHL ND	State:	Zip code: 58856	Email: martinh@co.williams.nd.us

Name (Please print)	Title/Representing		
RAY BARCHENGER	NDDOT		
Address: 608 East BLVD			
City: Bismarck	State: ND	Zip code: 58504	Email: rbarchen@nd.gov

Name (Please print)	Title/Representing		
BOB HANSON	City ENGINEER		
Address: 609 8th ST E			
City: Williston	State: ND	Zip code: 58801	Email: [illegible]

Name (Please print)	Title/Representing		
Jennifer Hanley	Ulteig		
Address: 3350 38th Ave S			
City: Fargo	State: ND	Zip code: 58104	Email: jennifer.hanley@ulteig.com

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

SIGN-IN SHEET

North Dakota Department of Transportation, Civil Rights Division

SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)	Title/Representing		
Donna L Peterson			
Address: 5360 - 134th Ave NW			
City: Williston	State: ND	Zip code: 58801	Email: donnal.peterson@yahoo.com

Name (Please print)	Title/Representing		
PAUL BENNING	NDDOT		
Address: 608 E BLVD AVE			
City: BIS	State: ND	Zip code: 58505	Email: pbenning@nd.gov

Name (Please print)	Title/Representing		
Bill Glen			
Address: 1013 22ND ST E			
City: WILLISTON	State: ND	Zip code: 58801	Email: bill.glen@gmail.com

Name (Please print)	Title/Representing		
DAVID TUAN	CITY OF WILLISTON		
Address: 809 5TH ST E			
City: WILLISTON	State: ND	Zip code: 58801	Email: DAVIDTUAN.WILLISTON.ND.US

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

SIGN-IN SHEET

North Dakota Department of Transportation, Civil Rights Division

SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
Williston ARC	Public Input	6/25/2015

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)	Title/Representing		
Kevin L. Brodie	FHWA		
Address			
City: Bismarck	State: ND	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Williston NE Truck Reliever Route (NE TRR)
PCN 20788
June 25, 2015
5:00 – 7:00

Open House started at 5:00.
Presentation started at 5:30. Given by Wayne Zacher (NDDOT) and Jen Hanley (Ulteig)

Wayne introduced the purpose of the meeting. Maps at the meeting showing lines are just lines. The purpose of the meeting is to start to narrow down the potential route corridors. At this point, the environmental document is being prepared. Construction dates have not been determined. This will occur after the environmental document is finished.

Jen introduced the presentation format: project study area, mapping tools being used for analysis, and ideas from public on how to narrow down potential routes.

The NE TRR will tie into Hwy 2 on the north side of Williston and east on Hwy 1804. The purpose and need for the project has been drafted and submitted to the DOT. Purpose: eliminate truck traffic around Williston (reduce congestion) and make a continuous truck route around Williston. The current phase of the project is the purpose and need. The next phase is the Alternatives Analysis, which starts with the public input meeting and gathering information. Alternatives will be evaluated, then DOT will decide on a preferred alternative to be carried forward for environmental analysis. A draft EA will be developed, hold a public hearing, and produce a final environmental document.

The difference between a bypass and a TRR is that a bypass requires a conscious decision to turn into town, whereas a TRR requires a conscious decision to turn off the highway and avoid town.

Jen explained that data collection is occurring for all public data sources and field work. All of the data is being inputted into a GIS model. The model will show “hot spots” where there are issues that overlap, such as engineering and environmental issues. Project design is one access per side per mile with a 65 mph design speed. Project considerations include, but not limited to: public lands due to permitting requirements; platted or planned developments; steep slopes can be a challenge; landslide areas, gravel pits, abandoned mines, structures, parks, and National Wetlands Inventory (NWI), including supplemental field work/delineation.

No Action Alternative is considered the current temporary route along CR 9, which is the baseline condition for comparison and analysis in the EA. The temporary route currently has 13.5 accesses per mile and is not designed for 65 mph and limits City growth.

Preliminary lines on the map show considerations from an environmental perspective or engineering perspective or both. Currently seeking public opinion and ideas for eliminating lines or adding different ones. Comments can be sent to the contact information included on the comment forms.

This concluded the formal presentation portion of the open house and started the question/answer and comment period of the meeting at approximately 5:45.

Comment indicating someone's house was not shown on the maps.

Jen requested them to circle it on the large map.

Comment asking why a section line was not being used near the CR 6 portion of the project.

Wayne explained that Carolville was being avoided due to structures and numerous buyouts that would be required.

Comment asking when the cultural study would be completed.

Jen explained that field work would be completed before snowfall. Bob Christiansen (NDDOT) explained that it would be dependent on what is found and where the engineers determine to be the best routes.

Comment: Is the archaeology similar to the west side of Williston?

Bob Christenson (NDDOT) explained that it is similar especially along the creek drainages.

Comment regarding turns on Hwy 1804 whether they were in the gully or on top of the hill.

Jen explained the connection of 1804 has not been determined nor has the intersection design.

Comment regarding purpose of getting traffic out of town and why. What are the traffic counts?

Jen explained that DOT does not want traffic moving through town on Hwy 1804 (east-west). A draft Traffic Operations Report was submitted to the DOT that shows the traffic counts. 30% of the trucks on 1804 go north at Williston. The traffic ops will be revised because a different consultant is currently doing another study with new counts.

Comment about what will happen to 85B because that is the quickest way to get south of Williston.

Wayne explained that it would likely go back to being a county road.

Comment regarding stop taking land to build roads, which hurts heritage.

Wayne explained there is not a commitment to build any road at this time, only study it.

Comment explaining CR 9 is dangerous and traffic needs to be moved off.

Comment explaining there will be lower traffic volumes because of downturn in oil business, more pipelines, and less oil rigs running. Lower standards and work with the section lines and leave the countryside (wandering across farmland, etc.). Does not believe the truck traffic volumes justify the project.

Jen explained a new model will come out in July, which will help clear up the traffic volume data.

Comment: is the project study area the only place the project can go? What happened to the straight shot through Epping?

Wayne explained this project study area was a compromised between the DOT, County, and City. A 4-mile zone was developed to make sure there was enough buffer to find a route and accommodate potential environmental issues.

Comment: look at an alignment that is north of Hwy 2 to connect into the route to Minot. This would provide for better long-range planning.

Jen explained the traffic ops report is looking at a 2-lane highway.

Comment: Does the NEPA process consider impacts on people?
Jen: yes, that is part of the alternatives evaluation process, which includes this public input meeting and part of the public record.

Comment: Why is everything going toward Love's and not to Hwy 2?
Jen explained it was to connect into the NW TRR.

Comment: Current study area and routes go way out of the way to get from east to west side of town.
Joel Wilt (NDDOT) explained a loop is being considered that is closer in to town, meaning not to Hwy 2. This also means connecting traffic into Hwy 85 as needed. A straight route to Hwy 2 would not connect into the loop. An ordinance in New Town always only local truck traffic.

Comment: Is there anything proposed south of Williston?
Jen: It would require a Missouri River crossing. Wilt: NEPA process requires an EA. A complicated project would require an EIS, which would typically show significant impacts and takes longer to complete.

Comment: the routes affect my front yard and my back yard.

Comment: Most lines on the map go through the Knife River property south of Carolville.
Wilt: This would provide access for Knife River.

Comment: But the routes affect three generations of farming in the same land.

Comment: Do Weight enforcement in Williams County work?
County Sheriff present indicated Williams County has the highest enforcement of weight restrictions in the state.

Comment: Do traffic counts justify the project? What is the threshold to justify the project?
Jen explained the numbers in the 1,000s not the 10,0000s. SRF is doing the new traffic model and Ulteig is working with them to get the new numbers.

Comment: Daily Use Permit and routes.
Wayne explained the routes are updated and sometimes takes a bit to get updated.
Wilt: The permitting program is rather new and there is not a lot of experience. There is an outside contractor that inputs the updates with the new roads and daily use permit requirements/road restrictions.

Comment: CR 9 traffic is still bad even with half the number of oil rigs operating in the area.
Wilt: most of the rigs are drilling right around the lake and using Hwy 1804. The oil economy/prices are hard to predict, but most of the rigs are around the lake and causing truck traffic in that area.

Wilt: Hwy 1804 from 42 into town…All the way to Ross turn off will be widened and improved structurally. Project is trying to move the truck traffic from CR 9 onto a safer highway and away from the populated area.

Comment: What is the accident record on CR 9? Numerous comments from public indicating two deaths in the past year and numerous accidents at the intersection of CR 6 and CR 9.

Comment: Is there a route on the map that stands out as a good option that does not affect people in the room?
Paul Benning (NDDOT): asked for the people in the room to provide comments.
Wilt: It would be nearly impossible to get all of the people in the room and agree on a route. It is our job to take in all of the comments into account and come up with the best alternative.

Jen provided some statistics from the traffic operations report, including traffic volumes and crash data that shows increasing trends.

Comment: What constitutes a crash?

Jen explained there are all kinds.

Wilt explained the crash data is based on written police reports only. If there is no written police report, then there is no crash recorded.

Comment: Was the traffic turning north at Love's counted (CR 6 turning north)?

Jen indicated yes. The data was not included in the report because the intersection would not require improvements, as it was just constructed.

Comment: Would there be relaxation of the criteria for construction of the highway if the traffic count is lower? Has concerns about the count justifying the project.

Wilt: A 65 mph would be built and to certain standards. What would the road be reduced to?

Wilt explained that NDDOT will look at everything, study it, and pick the route that has the least impact to people, environment and the safest it can be made.

Comment: What route is DOT leaning toward now?

Bob/DOT staff explained it will be likely be none of those on the paper. It will more likely be a modified version of combination of a number of those lines. Funding has not been secured, so it is uncertain if the route will be built.

Paul Benning (NDDOT): This is the technical group that is developing the environmental document and trying to get a route on paper, so that if funding becomes available, it can be built.

Comment: Farm access to fields.

Wayne indicated that landowners will have access to their property. One access per mile per side, but all landowners will be ensured access to their property.

Wilt: Hwy 2 had a lot of accesses and was built for farm safety (purpose of project). Road was built and provided accesses wherever the existing accesses were. This was constructed prior to the oil boom when the traffic volume was still low.

Comment: Does the TRR open up a can of worms for businesses as it relates to access?

Wilt: NDDOT will allow access, but want to control access and work with the City and County to develop frontage and access roads and not allow change in access once things are built. The future development is uncertain of what may happen once the TRR is built.

Question/Answer/Comment ended at 6:40 and open house resumed until approximately 7:45.

Public Meeting #1 (June 25, 2015) – Williston NE TRR

Summary of Comments and Responses

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
A	1	David Ruffie	Alternate route would avoid homes and reduce curves; suggested route would replace a "dangerous" RR crossing and "flooded road".	Comment noted.
B	1	City of Williston (Kent Jarcik)	Intent of East and West truck routes was to reduce pass through traffic, heavy truck traffic, and trucks with hazardous materials through developed portions of town; and maintain a safe and high speed truck route.	Comment noted.
B	2	City of Williston (Kent Jarcik)	East and West truck routes were not for establishing urban commercial corridors, urban arterials, a new town center, or urban city land use designations.	Comment noted.
B	3	City of Williston (Kent Jarcik)	City Planning Department opposed to a radial "t" concept at 1804 and the intersection of the route for pass through traffic from the developed portion of the City.	Coordination with the City of Williston will occur throughout the development of the proposed project and final design.
C	1	Donna Peterson	Support CR #9 as a temporary bypass due to safety concerns.	Comment noted.
C	2	Donna Peterson	Light green route (connecting at 131st Ave NW) seems least disruptive.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
D	1	Floyd Peterson	A TRR east of CR #9 is needed to reduce traffic; expressed safety concerns with current traffic.	Comment noted.
D	2	Floyd Peterson	TRR should be 3-5 miles east of CR #9.	Comment noted.
E	1	Jaret Cvancara	Main concern is to reduce traffic on CR #9 due to safety.	Comment noted.
E	2	Jaret Cvancara	Choice would be the red route at 6 and connect to the green route furthest to the east.	Comment noted.
F	1	Andy Cramer; President of Knife River - North Dakota Division	At least 5 of the proposed TRR routes would pass directly through the Knife River property (Alva location). The location is profitable with existing infrastructure in place for operations. Moving the operation would result in a high cost and disrupt business. Don't want to have to move. Request that the TRR not be sited through the Alva location.	The EA acknowledges the impact to this property in Chapter 2 in the alternatives descriptions and also in Section 3.1.2 regarding land use impacts from the Build Alternatives.
G	1	Mark Ellis	Not enough need to build the bypass; the temporary route is more than adequate.	Comment noted.
G	2	Mark Ellis	Opposed to any of the proposed routes.	Comment noted.
G	3	Mark Ellis	Another option that should be considered: further east, come out at Epping, than north to Hwy 2 and west to Love's truckstop.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
H	1	Mike & Kelly Hell	Please stay at least one mile from any residence; truck route will change things drastically.	Comment noted.
I	1	Milton O. Lindvig	Sections 18 and 19 consist of agricultural land; some proposed route alignments bisect these Sections and would severely compromise agricultural activities.	Comment noted.
I	2	Milton O. Lindvig	Focus is on trucks and specifically oil industry trucks. Oil industry reaps benefits of routes by making more money; it is all about money.	Comment noted.
I	3	Milton O. Lindvig	Researched vehicle accidents on temporary bypass. There was a fatality accident on Hwy 6 ~5 years ago; other minor incidents. Present route cannot be termed particularly dangerous due to accidents.	Comment noted.
I	4	Milton O. Lindvig	Objective appears to be to build perfect road for the oil industry; traffic volume on the northeast route is less than the northwest route and the same type of roadway is not justified. The DOT should reassess the proposed routes to give more consideration to other connecting points with major highways and to landowners/ag producers along the route.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
I	5	Milton O. Lindvig	Purpose of bypass is for oil industry heavy trucks which is the minority of traffic. Number of drill rigs for oil has declined and potential for increase is low. Evidence points to declining truck traffic.	Comment noted.
I	6	Milton O. Lindvig	Three companies that provide pressure pumping services may use the bypass; Trucks from an oil field supply company may use the bypass. Primary benefits accrue to the oil industry at expense of landowners, ag producers, and others.	Comment noted.
I	7	Milton O. Lindvig	Section lines were created for transportation and access; deviations were required due to terrain or other obstacles but are not present along the proposed routes. DOT should give priority consideration to road alignments that follow section lines.	Comment noted.
I	8	Milton O. Lindvig	Unalterably opposed to any route alignment that will bisect Sections 18 or 19 or isolate some part of each.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
J	1	Milton O. Lindvig	The area of study should be expanded east to Hwy 42 between Hwy 1804 and its junction to Hwy 2 north of Epping. Further study of traffic patterns must be made. IF Hwy 42 took more traffic than Hwy 85B than design criteria could change; may be other routes identified in expanded study area better than Hwy 42.	Comment noted.
J	2	Milton O. Lindvig	NEPA process must consider impacts to farms and individuals owning those farms beyond the number of individuals involved (i.e. rent to farm). Must consider impacts to farm unit itself. There will be negative impacts that cannot be mitigated.	The environmental document analyzes the potential impacts on land use and visual resources. Section 3.1 and Table 3-2 discuss land acquisition. Section 3.17 discusses visual impacts, and Section 3.20.4 discusses relocations.
J	3	Milton O. Lindvig	Criteria of 65 mph curves, no stops, and limited access points appear to exceed the Hwy 1804 criteria. Attempt to build a "perfect road" for the oil industry; is ineffective and unjustified. The criteria should be revised downward; would provide more routes that follow section lines.	Comment noted.
K	1	Russell Evitt	Blue or red goes through Section 9 splitting 10 acres.	Comment noted.
L	1	Scott & Brenda Busching	Stay with County 9/85B; suggest developing a more gradual decline of the road near the south end.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
L	2	Scott & Brenda Busching	Combination of scenarios would work best; the further east the better.	Comment noted.
L	3	Scott & Brenda Busching	Shouldn't cater to the oil industry; the people that live here should get priority.	Comment noted.
L	4	Scott & Brenda Busching	Hope that all comments taken seriously; in the past seems like a courtesy and development goes on in-spite of best possible solution.	Comments are recorded and considered in preparation of the environmental assessment.

Comment Card

Williston Area Recreation Center
June 25, 2015

DOCUMENT "A"

Email comments with the subject line "NE TRR Public Input Meeting Comments" or mail comment card by July 10, 2015 to:

jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

1

Dwaine Ruffie
Name

self
Representing

13214 53rd Lane NW
Address

701-580-0079
Phone

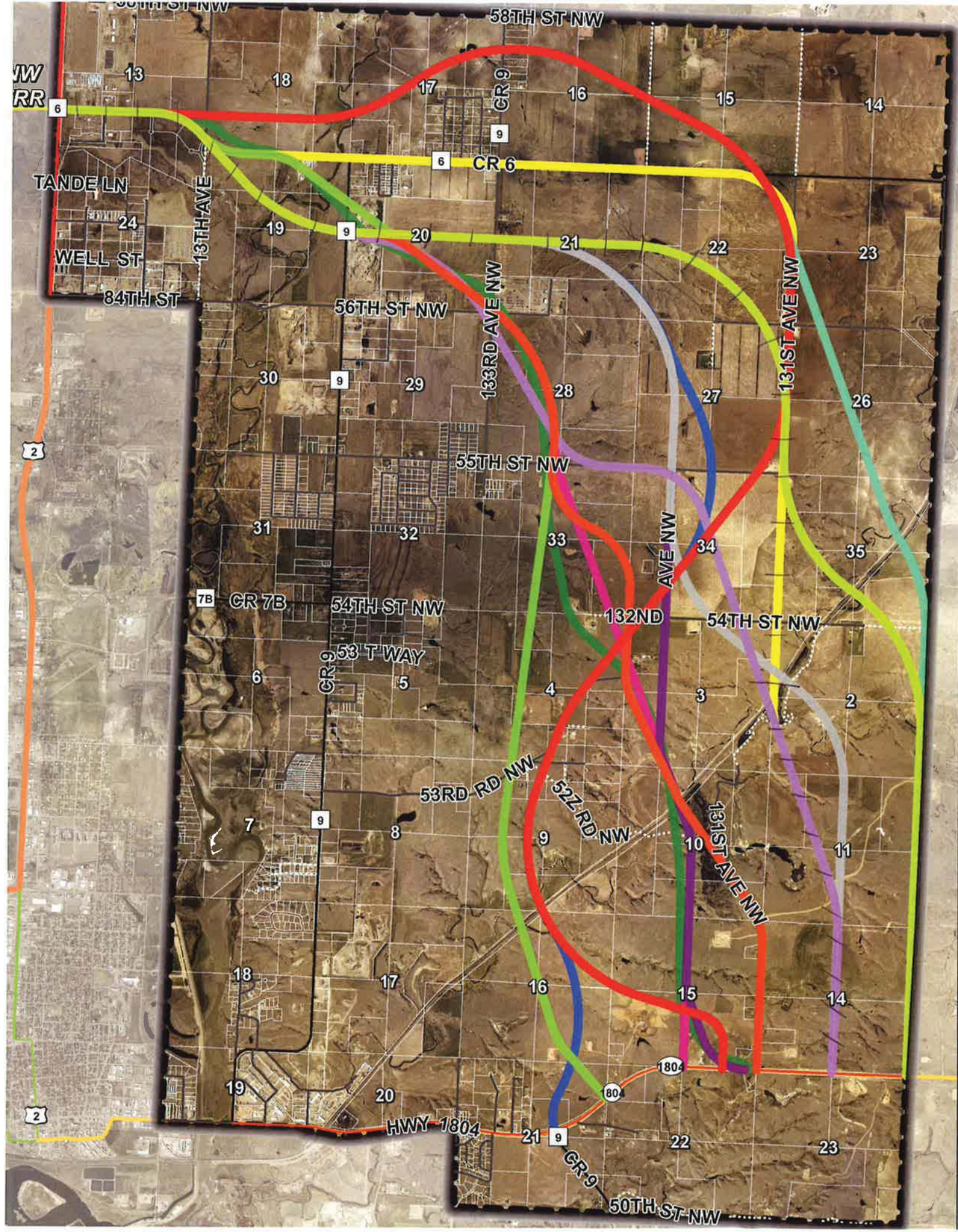
dtruffie@hotmail.com
Email

Comment(s)

I feel the best route for the bypass would be to exit 1804 in the center of section 14 (purple route). Proceed north one mile, then veer northwest to intersect 131st avenue NW. where it crosses the BN RR tracks. Proceed north to 55th St. NW, where the map shows the light green route crosses the southern section line of sections 26 + 27. Follow the light green route to Hwy. 2.

This route avoids the majority of the homes while allowing for the fewest curves, and also staying south of the Carolville settlement.

This route also replaces a historically dangerous RR crossing, and a flooded road that crosses Stony Creek.



Public Input Meeting

Williston Northeast Truck Reliever R
Environmental As
7-804(053)900, P

NDDOT
North Dakota
Department of Transportat

Ulteig
Engineering, Surveying, and Consulting Services

City of
WILLISTO

Williams
COUNTY NORTH DAKO

DOCUMENT "B"

City of WILLISTON

Planning and Zoning Department
PO BOX 1306 • WILLISTON, ND 58802-1306

PHONE (701) 577-8104 • FAX (701) 577-8880 • TDD STATE RELAY • 711

TO: Jennifer Hanley, Ulteig Engineering; Wayne Zacher, NDDOT

FROM: Planning Department

DATE: July 9th, 2015

RE: NORTHEAST TRUCK RELIEVER ROUTE INPUT MEETING 25 JUNE 15

It is important to stress the intent of both the East and West truck routes. The intent of these routes was to remove pass through traffic from the developed portions of the City. Specifically there was interest to remove the heavy trucks and hazardous material truck traffic from the developed portions of the City with specific recognition of the increasing volumes of heavy trucks and hazardous material trucks.

How we refer to these East and West routes is important as it sets a tone to the public. It is probably better to say what the intent of their creation was for and not for.

1

They were for:

- Reducing pass through traffic through the developed portions of town;
- Reducing heavy truck traffic through the developed portions of town;
- Reducing the trucks carrying hazardous materials through the developed portions of town;
- Maintaining a safe and high speed truck route;

2

They were not for:

- Establishing urban commercial corridors;
- Establishing urban arterials;
- Establishing a new town center;

- Urban city land use designations.

3 With regard to specific design the City Planning Department would be opposed to a radial "t" concept at 1804 and the intersection of the route for pass through traffic from the developed portion of the City .

Respectfully,

Kent Jarcik

Cc: Howard Klug, Mayor; Bob Hanson, City Engineer

Comment Card

Williston Area Recreation Center
June 25, 2015

Email comments with the subject line "NE TRR Public Input Meeting Comments" or mail comment card by July 10, 2015 to:

jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Donna L Peterson
Name

Homeowner on Co Rd 9
Representing

5360 - 134th Ave NW
Williston ND 58801
Address

701-774-8625
Phone

donna1.peterson@yahoo.com
Email

Comment(s)

Letter attached

June 9, 2015

DOCUMENT "C"

Ulteig
Attn: Jen Hanley
3350 38th Ave
South Fargo, ND 58104

Thank you for the informative meeting you conducted in Williston, ND concerning the East bypass.

1 There have been many questions, and issues that have come up for us as homeowners along the East bypass. It was good to hear that County Road #9 is not being considered for the bypass, but rather is a temporary bypass. We have lived here for 36 years and have seen the road change drastically. We were able to raise our family in a much safer, slower road that it is today. At one time one could feel safe crossing the road to get ones newspaper and mail. Now you wait many times along one side or the other until there is a break in the traffic. Our children even rode their bicycles along the roadside, something you could never allow today.

With the buildup of homes along this road, access roads have been added, and as you brought up at the meeting, it averages 13 accesses per mile of road. That is a safety issue. The road has a 45 mph speed limit, but that is at most, for many drivers, just a suggestion. With the school bus route being on County Road #9, and more children living along this road, it is important that we keep this route as safe as possible. This road is also a mail route; again, with the influx of homes and homeowners, it becomes busier.

Just off of 1804, turning north is Thompson's landing, which is a popular recreation area, summer or winter.

As long as the land fill is on this road, we realize that there will be some truck traffic.

2 I feel confident that you will choose the best route for the by-pass. There will always be some downsides for the route you choose, but considering the least impact for the most population, and cost of building the route, it looks like you have several different choices. I feel that the light green route, which connects to 131st Ave. NW, seems to be the least disruptive.

Again, thank you for the opportunity to attend this meeting. This greatly helps us to become more informed about the issues facing us as you determine just where the By-pass will be located.

Donna L. Peterson

Donna L. Peterson
5360 134th Ave NW
Williston, ND 58801
701-774-8625
donnal.peterson@yahoo.com

Comment Card

Williston Area Recreation Center
June 25, 2015

DOCUMENT "D"

Email comments with the subject line "NE TRR Public Input Meeting Comments" or mail comment card by July 10, 2015 to:

jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Floyd N Peterson
Name

Resident on Co. Rd #9
Representing

5360 134TH AVE NW
Williston, ND 58801
Address

701-774-8625
Phone

FN.Peterson@yahoo.com
Email

Comment(s)

I was very impressed with the Input Meeting on June 25TH at the WARC.

1 The need is great to get a Truck Relieve Route built to the East of Co. Road #9 to get some of the Trucks off Williams Co. #9 due to the danger to the Residents, the school buses and children in this area.
Besides the accidents on Co. Rd #9 we all have experienced many close calls. The Trucks & Traffic will not slow down to let all the vehicles exit the Road.

2 I think the truck Relieve Route should be placed 3 to 5 miles East of Co. Road #9.

Thank you for a very information meeting.

Floyd

Comment Card

Williston Area Recreation Center
June 25, 2015

DOCUMENT "E"

Email comments with the subject line "NE TRR Public Input Meeting Comments" or mail comment card by July 10, 2015 to:

jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

1

Jaret Cranckars
Name

2

myself
Representing

5370 B 134th Ave NW
Address Williston

770-5858
Phone

Email

Comment(s)

My main concern is to get traffic off of County Road 9. It's unsafe for everyone involved.

If I had a choice I would take the red at 6 and meet with the green that runs the farthest east.

DOCUMENT "F"

KNIFE RIVER
AN MDU RESOURCES COMPANY

3303 Rock Island Place
Bismarck, ND 58504
(701)223-5480 Ph
(701)223-5557 Fax

5654 134th Ave NW
Williston, ND 58801
(701)774-2066 Ph
(701)774-2127 Fax

July 28, 2015

Ms. Jen Hanley, PE
Ulteig
3350 38th Ave. S
Fargo, ND 58104

Dear Ms. Hanley,

Thank you for the opportunity to provide comment on the Williston Northeast Truck Reliever Route. I see we have missed the July 10 deadline for comments, but as landowners who would be directly impacted by a majority of the proposed routes, it's my hope you will still take these remarks into consideration.

1 Knife River Corporation — North Central owns 120 acres of land in the W½SW¼ and the SW¼NW¼ Section 20-Township 155N-Range 100W, Williams County, North Dakota. At least five of the proposed NE TRR routes would pass directly through our property — which we call our Alva location — and would make it impossible for us to continue to operate there. We have been in operation at our current location northeast of Williston since 2011. It is a profitable location for us with several permanent structures and a dedicated natural gas line that serves our asphalt plant. It would cost millions of dollars for us to move to a new location, given the cost of our fixed assets, our land and the potential downtime or disruption of business caused by construction of the NE TRR. At your request, I could provide a more detailed account of the costs.

We have a good location close to our major market; I don't know if we could find a piece of property of like value that is as close to Williston as where we are now. We don't want to have to move. We request that you not site the NE TRR route through our Alva location.
I would be happy to discuss this further with you at any time, and I look forward to future public-comment sessions. Thank you.

Sincerely,

Andy Cramer
President
Knife River—North Dakota Division
5654 134th Ave. NW
Williston, ND 58801

Cc: Joel Wilt, PE, NDDOT Williston District

Comment Card

Williston Area Recreation Center
June 25, 2015

DOCUMENT "G"

Email comments with the subject line "NE TRR Public Input Meeting Comments" or mail comment card by July 10, 2015 to:

jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Name: Mark Ellis

Representing: land owner

Address: 5658 133rd Ave NW Williston

Phone: (701) 774-0188

Email:

Comment(s)

1 I don't think there is near enough need to build the bypass. With more pipelines and infrastructure being built I think the need is less and less. I think the temporary one is more than adequate.

2 I would be opposed to any of these routes. I think that the cost benefit with overpass and through country is not worth doing. It will cut through an area that is fairly untouched and ruin it forever.

3 Another option that should be considered is further east, come out at Epping where an overpass is needed. Then go north to Hwy 2 and west to Fores's Truckstop.

DOCUMENT "H"

Jennifer Hanley

From: kelly h <kellyh11@hotmail.com>
Sent: Monday, July 06, 2015 9:27 PM
To: Jennifer Hanley
Subject: NE TRR Public Input Meeting Comments

1 Please stay at least one mile or more away from any residence. We live in the area of 53rd Lane Northwest and it looks like at least one route would be one half mile from our home of 27 years. We have had so many comments about how it is such a peaceful place to live. This truck route will change things drastically.

Mike & Kelly Hell

DOCUMENT "I"

Presented at the Public Meeting Pertaining the
Williston Northeast Truck Bypass Route

June 25. 2015

By

Milton O. Lindvig

My name is Milton O. Lindvig, a landowner whose property will likely be affected by the proposed modification of the Williston Northeast Truck Bypass. My family and I own Section 19 and a portion of Section 18, that borders Williams County Highway 6 or Hwy 85 alternate for three-fourths of a mile all in T155N, R100W. The address of the farmstead is 13438 57th Street NW, Williston, ND.

1 Section 19 is agricultural land consisting of cropland, pasture, hay land, and a farmstead with the Little Muddy River meandering from North to South across the entire section. The cropland, pasture and hay land is interspersed across the section with the individual tracts having somewhat irregular shapes. Both the cropland and pasture are utilized by renters. Some of the proposed route alignments result in the bisecting of the section in a northwest – southeast direction. Because of the terrain, the Little Muddy River, and the location of the various tracts, such routes will either ruin or severely compromise the ability to continue present uses. We also own a significant portion of section 18 where a potential route would bisect the property and severely compromise agricultural activities. The land in section 18 consists of cropland and pasture.

2 From the project title, Northeast Truck Reliever Route, it is obvious the focus is on trucks and more specifically on trucks providing services to the oil industry. It is my understanding that approximately 30 to 40 percent of the traffic consists of trucks, which leaves about 60 to 70 percent of the traffic as lighter vehicles. I believe it does not really matter much to the operators of the lighter vehicles the route of the road provided it is generally smooth and a reasonable travel speed can be maintained. Thus, it is the oil industry that reaps the benefits by having routes with broad curves and minimum stops resulting in higher travel speeds. By having this kind of a route they make more money. So in the end, it is really all about money – dollar bills – greater profits, for which the route will be built.

3 However, the safety aspects of the highway certainly cannot be ignored. It is a broad issue, but there is one point that needs to be made. Undoubtedly, a new bypass highway could be deemed safer than the present "temporary" bypass. In order to obtain perspective on the issue, I did some research on the vehicle accidents that have occurred along the "temporary" bypass. About 5 years ago, a single vehicle accident occurred on highway 6 about a mile east of Love's Truck Stop that resulted in a fatality. It may have occurred before it officially became the temporary bypass. There have been minor incidents along the route that did not result in significant injuries or property loss. Other incidents may have occurred that could be termed significant, but none were identified. However, this shows that the present route cannot not be termed particularly dangerous from the standpoint of accidents.

4 It appears the criteria for a truck route is curves that match the speed limit, few or no stop lights or stop signs, and limited access points. Judging from the Northwest Truck Reliever Route, it seems that the objective is to build the perfect road for the oil industry. The northwest route is a continuation of U. S. Highways 2 and 85 with a larger traffic volume. The northeast route in an attempt to connect Highway 1804 with Highway 2 and Highway 85. The traffic volume on this route is less than that of the

northwest route which does not justify the same type of roadway. Because of the lower traffic volume, the criteria for the bypass can be scaled down. The Department of Transportation should reassess the proposed routes to give more consideration to other connecting points with the major highways and to the interests of landowners, agricultural producers, and others along the route.

5 The principal purpose for the construction proposed bypass is for the heavy trucks servicing the oil industry which are substantially in the minority according to traffic counts. The number of rigs drilling for oil has declined from more than 180 less than a year ago to less than 80 rigs currently. The potential for a significant increase in drilling activity is very low based on the price of oil and world demand. This will result in a significant decrease in the number of trucks needed. In addition, more pipelines are being built to move crude oil, salt water, and water for hydraulic fracking, which again, replaces trucks hauling those fluids. During the next several years, the evidence points to declining truck traffic.

6 So what other component of the oil industry uses the current bypass? Three companies that provide pressure pumping services are based at a location in southeast Williston that may result in their use of the bypass to reach some locations. They are Halliburton, Sanjel, and Weatherford. I have observed equipment from Halliburton and Sanjel using the temporary bypass. Depending on the amount of hydraulic fracking activity, they may be somewhat of a constant for traffic on the bypass. Trucks from an oil field supply company located in the same general area may also create some traffic that would utilizes the bypass. Therefore, the evidence shows that the primary benefits accrue to the oil industry through the transport of supplies and equipment by trucks is at the expense of landowners, agricultural producers and others. Depending on the route chosen, this results in disruption of farming operations, loss of access to fields, compromising the use of range land, and in some cases a reduction in the quality of life.

7 Section lines were created for the purpose of transportation and access. Since statehood the construction of transportation routes along section lines have been successfully used to meet the public needs in most instances. There are exceptions where deviations from the section lines were required due to terrain characteristics or other obstacles. Terrain difficulties or other natural obstacles are not present along the proposed routes. Therefore, the DOT should give priority consideration to road alignments that follow the section lines thereby significantly reducing adverse effects on others.

8 As for my family and I, we have concluded that based upon the severe adverse impacts to the agricultural uses of the land in sections 18 and 19, we are unalterably opposed to any route alignment that will bisect these tracts or isolate some part of each.

DOCUMENT "J"

TO: Jennifer Hanley, PE,
Technical Manager
FROM: Milton O. Lindvig
SUBJECT: Addendum to Comments Submitted at the Public Information Meeting Held in Williston, June 25, 2015
DATE: July 9, 2015

I have three other matters to discuss regarding the Northeast Williston Truck Reliever Route and submit for consideration.

1 First, in order to obtain a more complete definition of the problem that is under study, the area of study must be expanded eastward to Williams County Highway 42 between its junction with Highway 1804 to its junction with U.S. Highway 2 north of Epping. Further study of the traffic patterns must be made to better determine the nature of the truck traffic on and off of Highway 1804 and the routes that it is trying to reach. From some of the truck traffic I have observed, it appears it is attempting to go north and/or east. If Highway 42 took a significant part of the truck traffic now using Highway 85B, the design criteria for the current proposed alternative routes could be substantially changed. Perhaps other routes would be identified in the course of the study that would be better than Highway 42.

2 At the public meeting it was indicated that the NEPA process also considered the impacts to people. In that process, the impacts to the farms and the individuals owning those farms must be thoroughly reviewed and weighed beyond just the number of individuals involved. In the case of those who rent and farm the land, they must also be included in the process. It must also include the impacts to the farm unit itself. The farm unit is a business that is managed in accordance with the natural conditions on the individual tracts of land. When roadway routes deviate from section lines the adverse impacts to a farm unit mount rapidly. If the farm enterprise is adversely impacted, the owner(s) (people) suffer an adverse impact. There will be circumstances where the negative impacts cannot be mitigated.

3 The last item is the criteria currently used to define the roadway; 65 mph curves, no stops, and very limited access points. Coming off of Highway 1804 it seems the criteria exceed the highway 1804 criteria. If they do not, then it appears that it is an attempt to build a “perfect road” for the oil industry. The oil industry should be able utilize a road with 55 mph curves, or even 45 mph curves without making too great a sacrifice. They are often times coming off of, or going on to, county farm to market roads on which 30 to 40 mph is the maximum speed. Therefore, it seems that building a “perfect road” under such circumstances is ineffective and unjustified. The criteria for speed, curves and stops should be revised downward. This would provide more opportunities to choose routes that follow section lines.

DOCUMENT "K"

Ulteig

ULTEIG ENGINEERS, INC. - COMMUNICATIONS RECORD

TIME 11:09 am DATE 6/29/15

I, Jen Hanley Talked with Russell Evitt

of Landowner

PHONE NUMBER 701-770-6320

____ I Called X Party Called ____ I Visited

____ I Returned ____ Party Returned ____ Party Visited

Others on Line

UEI Job No. Plan blue or red goes through middle 1

Section 9 - splitting 10 acres

House looks like

PO Box 2625

Williston, ND 58802-2625

701-770-6320

Explained where we are in the process, just lines on the paper, recommend he follow the project on the web page

Action Needed Add address to database

C:

DOCUMENT "L"

Jennifer Hanley

From: Brenda Busching <busch@nccray.net>
Sent: Thursday, July 09, 2015 3:12 PM
To: Jennifer Hanley
Subject: NE TRR Public Input Meeting Comments

1 My suggestion is the stay with County 9/85B. I drive that road at least twice a day, and the traffic is way down. It seems senseless to develop another paved road and effect a bunch more people/land owners just because there is money available. I would suggest that near the south end, where the road takes a curve and steep hill, another curve and then connects to 1804 - that the area starting at the top of the hill be developed to go straight to 1804 with a more gradual decline of the road.

2 If a road is going to be built, I think a combination of scenarios would work the best. The further east you can go, the better, as there is less elevation, areas for a straighter road, and less crop land and farmsteads effected.

3 We all know that once there is a new paved road - development of commercial, residential, industrial lots will be right behind it. That is a proven fact. Furthermore, I don't feel we should be catering to the oil industry. Why give the oil industry the best/easiest route to drive? The people that have lived here 20 to 50 years (or more), that have put their whole life into their land/farmsteads should get priority. If you are true to your word, I would hope that all the

4 comments are taken seriously. Other people have voiced their opinions in the past, and it seems like it's just a courtesy, as the development goes on in-spite of the best possible solution.

Scott & Brenda Busching

Public Input Meeting #2 Information and Comments/Responses (November 15, 2016)

Affidavit of Publication
Press Release
Williston Herald Notice
Roster/Sign in Sheets
Meeting Notes
Public Input Meeting #2 Comments

NDNA
NORTH DAKOTA NEWSPAPER ASSOCIATION

Affidavit of Publication

Colleen Park, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.

2. The newspapers listed on the exhibits published the advertisement of: **Ulteig, ND Transportation Department – Public Input Meeting, Williston NE Truck Reliever Route; 1** time(s) as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Signed: Colleen Park

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 2 day of Nov., 20 16.

Sharon L. Peterson

SHARON L. PETERSON
Notary Public
State of North Dakota
My Commission Expires Nov. 8, 2017

For more information:
Jennifer Hanley, Ulteig 701-280-8582
Peggy Anderson, NDDOT Director of Communications 701-328-4322

Embargo until: November 8, 2016

Public Input Meeting to be held on November 15, 2016 to discuss Proposed Williston Northeast Truck Reliever Route in Williston, ND.

A Public Input Meeting will be held from 5:00pm to 7:00pm on November 15, 2016 at Williston State College TrainND. The Public Input Meeting will utilize an open house format with a formal presentation at 5:30pm.

The purpose of the Public Input Meeting is to discuss the proposed Williston Northeast Truck Reliever Route. The Public Input Meeting will provide opportunity for public input. Staff from NDDOT, the City of Williston, Williams County, FHWA, and Ulteig Engineers will be available to answer questions.

If unable to attend the Public Input Meeting, written statements or comments must be mailed by November 30, 2016 to Jennifer Hanley, PE, Ulteig Engineers, 3350 38th Ave S, Fargo, ND 58104 or at jennifer.hanley@ulteig.com with “Public Input Meeting” in the e-mail subject heading.

The North Dakota Department of Transportation (NDDOT) will consider every request for reasonable accommodation to provide:

- an accessible meeting facility or other accommodation for people with disabilities,
- language interpretation for people with limited English proficiency (LEP), and

- translations of written material necessary to access NDDOT programs and information.
- To request accommodations, contact Paula Messmer, Civil Rights Division, NDDOT, at (701) 328-2978 or civilrights@nd.gov

. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Aberle stated that this area is great huntingspot
Aberle stated that in order to close a section line
one here, it is for private use. Bill Sheldon spoke
to the publicand there will be access on the ½ mile
main closure is for the length of the runway. They
n stating that they will have hangars for public use
g no further comments for or against said closure,
aring. Chairman Montgomery asked if the Board
not developed then the section line will revert back
ey stated that any conditions can be put on it, but
ed until the conditions set forth by the Commission
efit to the golf course and the other developments
stated that if a section line has not been used for
She stated there are other conditions in the NDCC
n a benefit to the public. Ramberg stated that the
nson seconded to close the section line between
96. More specifically, the requested closure would
n line. The closure would begin at the proposed
south to the lake. Kalil moved Hanson seconded
s developed they need to have verbiage in stating
r public use of the runway and apply through the
and it is acquired then the proper paperwork will
e documentation. Roll call vote on the amendment:
Hanson-yes, and Kalil-yes. Roll call vote on motion:
lil-yes, and Ramberg-yes. Motion and Amendment

dent introduced Joel Wilt, District Engineer NDDOT
randum of Understanding (MOU) for the Williston
ston, Williams County, and NDDOT. The NDDOT
chosen 400' corridor preservation, which is 200'
ed approximately 95% of the drafted environmental
they do not build along section lines to minimize
tures of the routes and the reason they picked the
A public hearing will be held for comments before
(EA) iscompleted. The MOU basically states for
move forward until the EA is completed and public
sen. A question was brought up to whether or not
build homes. The reason for the 400' preservation
oning does not approve commercial or residential
one route will completelydissect his entire property
corridor and if the landowners will be compensated
cess points to all fields, homes, etc.and no money
hosen. Discussion was held on whether the cultural
d that they completed a six mile swath and they
nutson stated his concerns that when the route is
nts or cattle passes as he owns land on both sidesof
ervation corridor. How will the land be appraised
ndowners. Wilt stated that it will be based on fair
on commented- what if he does not want highway
ir hands are tied. Chairman Montgomery stated
for the NW By-pass it was handled fair. Today is
Wilt. Wilt stated that this project, when budgeted
not been funded. Kalil stated that the economics
this project to proceed. Brokaw stated that their
ad is built. Lori Knoshaug stated that the routes
rth to south and east to west. Ramberg commented
s. Wilt said there will be cattle passes for crossings.
is the cultural resources which they have to follow
d that the 400' preservation corridor is held for six
ts. Ramberg stated this is a large request to hold
he public good. Wilt will give the route to Nelson
ontgomery asked as to the final date for the County
inimal already, as the City/County has not signedthe
k. No action was taken at this time.
Williams County is slated for $75M. Wilt went over
ssion a map with the changes of speed limits along

when going past Grenora. Wilt stated that a speed
tated that he would relay this to the City of Grenora
speed study may not warrant a speed reduction.
017-2020 Federal Aid Projects submitted by Nelson.
the NDDOT. (Copy included in minutes)

2016 budget amendment from the Auditor's budget
(Copy included in minutes)
positions report with one Property Assessor position.
of the Open Positions Report and fill the position
(Copy included in minutes)
e updated cell phone policy. Motion carried. (Copy

Report per County policy. (Copy included in minutes)
rtment was purchased in 2007 and needs replacing.
purchase they are getting a trade-in rebate.
g adjourned at 9:12 AM.
er 26, 2016)

PUBLIC INPUT MEETING

WHY?

To discuss the proposed Williston NE Truck Reliever Route. The project consists of potential new highway alignment, improving or replacing existing bridges, and a new crossing of the BNSF railroad.

WHEN?

Tuesday, November 15, 2016
Formal Presentation 5:30 p.m. to 6:00 p.m.
Open House: 5:00 p.m. to 7:00 p.m.

WHERE?

Williston State College TrainND
415 22nd Ave NE
Williston, ND 58801

OPEN HOUSE CONDUCTED BY

ND Department of Transportation (NDDOT), the City of Williston, Williams County, FHWA, and Ulteig Engineers, Inc.

This meeting is designed to allow for public input which is required for compliance with the National Environmental Policy Act of 1970 and National Historic Preservation Act of 1966.

Representatives from the NDDOT and Ulteig will be on hand to answer your questions and discuss your concerns.

WRITTEN STATEMENTS or comments about this project must be mailed by Wednesday, November 30, 2016, to Jennifer Hanley, PE, Ulteig Engineers, Inc, 3350 38th Ave S, Fargo, ND 58104.
Email: jennifer.hanley@ulteig.com
Note "Public Input Meeting" in email subject heading.

The North Dakota Department of Transportation (NDDOT) will consider every request for reasonable accommodation to provide:

- an accessible meeting facility or other accommodation for people with disabilities,
- language interpretation for people with limited English proficiency (LEP), and
- translations of written material necessary to access NDDOT programs and information.

Appropriate provisions will be considered when the Department is notified at least 10 days prior to the meeting date or the date the written material translation is needed.

To request accommodations, contact Paula Messmer, Civil Rights Division, NDDOT, at (701) 328-2978 or civilrights@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

Williston NE TRR
Public Input Meeting #2

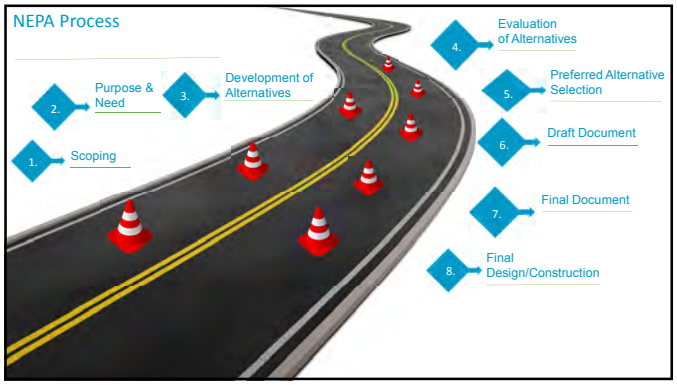
November 15, 2016

Introductions

- Wayne Zacher – NDDOT Technical Representative
- Jennifer Hanley – Ulteig Consultant Project Manager

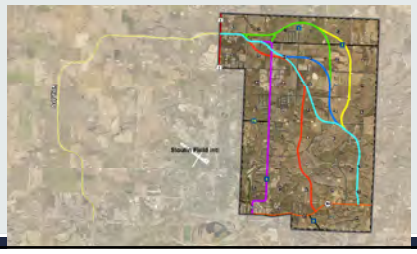
Presentation Overview

- Project Overview
- National Environmental Policy Act (NEPA) Process
- Purpose & Need
- Project Area
- Proposed Alignments



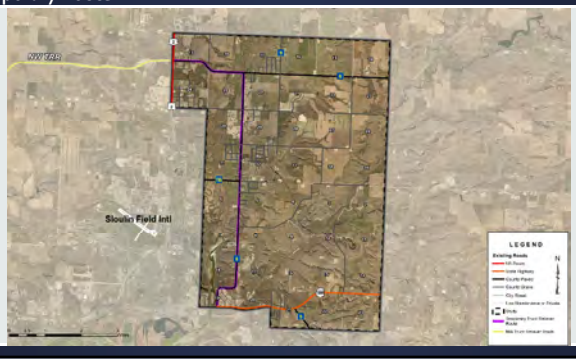
Purpose & Need

- Creating a full northern Truck Reliever Route around Williston
- Prepare for the future



Project Area

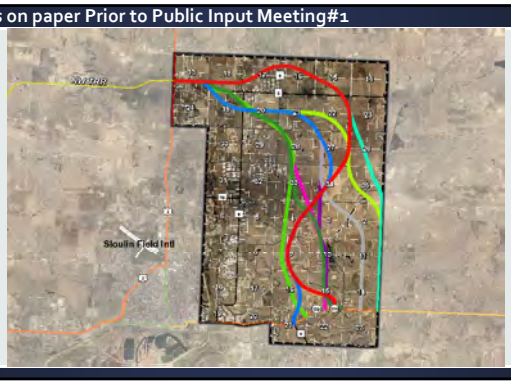
Temporary Route



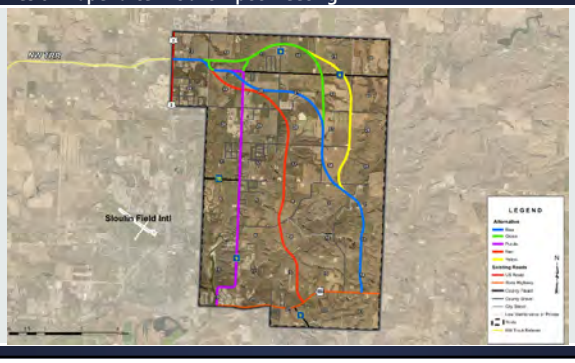
Issues

- 13.5 accesses per mile
- Not designed for 65 mph
- Steeper slopes
- Adjacent to reservoir flood storage
- Limits future east expansion of City of Williston

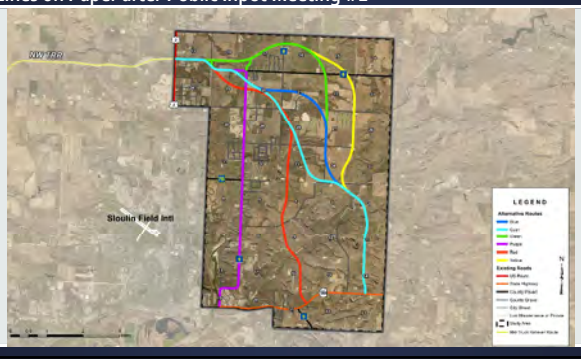
All Lines on paper Prior to Public Input Meeting#1



All Lines on Paper after Public Input Meeting #1



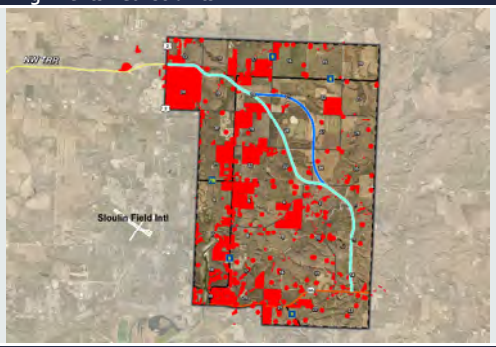
All Lines on Paper after Public Input Meeting #1



Environmental Impacts/Engineering Issues Considered

- Nearby residences
- Cultural
- Wetlands
- Farmland
- Noise
- Threatened or endangered plants & animals
- Mines, oil gas development
- Floodplains
- Public lands

Proposed Alignments - Constraints



Proposed Alignments

Comments

Comment Card

Email comments with the subject line "NE TRR Public Input Meeting Comments" or mail comment card by November 30, 2016 to: jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Name
Representing
Address
Phone
Email

Comments:

Please send comments no later than November 30, 2016 to:

Jennifer Hanley, PE
Ulteig Engineers, Inc.
3350 38th Ave S
Fargo, ND 58104

Email: jennifer.hanley@ulteig.com

Phone: 701-280-8582

Wayne Zacher, PE
NDDOT
608 E Boulevard Ave
Bismarck, ND 58505

Email: wzacher@nd.gov

Phone: 701-328-4828

Thank You!

We appreciate your time and commitment to helping us reach the best possible alterative for the State, Region, and City of Williston.

NDDOT North Dakota Department of Transportation

City of WILLISTON

Williams County North Dakota

Williston NE TRR Public Input Meeting #2

November 15, 2016

Ulteig

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
TrainND	Public Input	11/15/2016
Project Number: 7-804(053)900		PCN: 20788
Project Description: Williston NE TRR		

Name (Please print)	Title/Representing		
Jennifer Hanley	Sr. Engineer		
Address: 3350 38th Ave S			
City: Fargo	State: ND	Zip code: 58104	Email: jennifer.hanley@ulteig.com

Name (Please print)	Title/Representing		
Kristen Sperry	Env. Scientist / NDDOT		
Address: 608 E Blvd Ave			
City: Bismarck	State: ND	Zip code: 58505	Email:

Name (Please print)	Title/Representing		
Bill Gathman			
Address: 605 Dakota Parkway Unit			
City: Williston	State: ND	Zip code: 58801	Email:

Name (Please print)	Title/Representing		
GORDON BROKAW			
Address: 1833 CREST ST			
City: WILLISTON	State: ND	Zip code: 58801	Email: gbrokaw@ATMAIL

Name (Please print)	Title/Representing		
Josh Kueber	Engineer		
Address: 3350 38th Ave S			
City: Fargo	State: ND	Zip code: 58104	Email: Josh.Kueber@ulteig.com

Name (Please print)	Title/Representing		
Bob Hansen	City Engr Williston		
Address: Box 2430			
City: Williston	State: ND	Zip code: 58801	Email: BobH@ci.williston.nd.us

Name (Please print)	Title/Representing		
Stephanie Flowers	County Eng. - Williams Co.		
Address: PO BOX 805			
City: Williston	State: ND	Zip code: 58801	Email: stephaniof@co.williams.nd.us

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
TrainND	Public Input	11/15/2016
Project Number: 7-804(053)900		PCN: 20788
Project Description: Williston NE TRR		

Name (Please print)	Title/Representing		
Robert J Olson			
Address: 2905 13th Ave E.			
City: Williston	State: ND	Zip code: 5881	Email: ROLSON924@gmail.com

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Address			
City	State	Zip code	Email

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights Division
SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
TrainND	Public Input	11/15/2016
Project Number: 7-804(053)900		PCN: 20788
Project Description: Williston NE TRR		

Name (Please print)	Title/Representing		
Mark E. Ellis			
Address: 5258 133rd Ave NW			
City: Williston	State	Zip code: 58801	Email

Name (Please print)	Title/Representing		
MARTIN HANSON	Wms Co Commission		
Address: 7853 139th Ave NW			
City: ZAHL	State: ND	Zip code: 58856	Email

Name (Please print)	Title/Representing		
Milton & Hilda Mae Lindvig			
Address: 2610 Astronaut Dr.			
City: Bismarck	State: ND	Zip code: 58503	Email: mlindvig@bis.midco.net

Name (Please print)	Title/Representing		
HOWARD KLUG	City of Williston		
Address: 1422 1ST AVE W			
City: Williston	State: ND	Zip code: 58801	Email: howardklug@hotmail.com

Name (Please print)	Title/Representing		
DAVID Heller	Stony Creek		
Address: 13234 53rd LN NW Lot 3			
City: Williston	State: ND	Zip code: 58801	Email

Name (Please print)	Title/Representing		
Kent JAIZCIL	City of Williston Planning		
Address			
City	State	Zip code	Email

Name (Please print)	Title/Representing		
Rachel Laqua	City of Williston Planning		
Address			
City	State	Zip code	Email

SIGN-IN SHEET

North Dakota Department of Transportation, Civil Rights Division

SFN 59531 (Rev. 03-2012)

Division/District/Consultant
Design/Williston/Ulteig

Meeting Location	Meeting Type	Meeting Date
TrainND	Public Input	11/15/2016

Project Number	PCN
7-804(053)900	20788

Project Description
Williston NE TRR

Name (Please print)			Title/Representing
JOEL WILT			NDDOT
Address			
City	State	Zip code	Email

Name (Please print)			Title/Representing
Address			
City	State	Zip code	Email

Name (Please print)			Title/Representing
Address			
City	State	Zip code	Email

Name (Please print)			Title/Representing
Address			
City	State	Zip code	Email

Name (Please print)			Title/Representing
Address			
City	State	Zip code	Email

Name (Please print)			Title/Representing
Address			
City	State	Zip code	Email

Name (Please print)			Title/Representing
Address			
City	State	Zip code	Email

MEETING MINUTES

Core Values: Dedicating ourselves to our clients' success ~ Pursuing excellence in our work ~ Acting with integrity

Meeting:	Public Input Meeting #2		
Date of Meeting:	November 15, 2016	**Time:**	5:00pm-7:30pm CDT
Minutes Prepared By:	Mary Schindler		

1. **Hanley went through a powerpoint presentation about the Williston NE TRR**
2. **Opened up the meeting to questions/comments from the public (Public=● Responses=i.):**

Why are the city and county involved? They don't have land in this area.

- **i.** They are stakeholders of the project

What is the estimated cost of this project?

- **i.** $55-60 million for engineering and construction (keep in mind this project is not funded)

Wasn't there a higher cost before?

- **i.** That was preliminary

Have there been new traffic studies? Should we take a closer look at them? Oil traffic has gone down about 60%. Are the studies too optimistic?

- **i.** The environmental study considers a 4-lane facility because it is the worst case scenario. The traffic studies only warrant a 2-lane facility.

You should get a second opinion.

Is there still traffic on County Road 9 (Temporary NE TRR)?

- **i.** Yes.

Why do rural people have to give up so much for the oil companies? We have lived here for many generations and don't want to have to sacrifice any more for the oil. Why can't they just use County Road 9?

- **i.** In order to make CR 9 an acceptable TRR would need to reduce accesses and there are too many other design issues to make it work.

What about the 40 some trucking outfits that along county road 9. I counted leading into County road 9 and right along there. They are going to still drive on county road 9.

- **i.** They will still drive on county road 9, part of this is truck traffic restriction going through the city, so we do know that there is traffic generators on county road 9 that will continue to generate traffic on county road 9.

Feel that ag communities have been forgotten. They have lost land on oil well sites and are very frustrated with what they have gone through.

- **i.** Understood. We would apprecieate your comments in writing if possible. We can help you write your thoughts down.

Does it have to be 400' wide?

- **i.** Won't take more than we need to construct the roadway. Does not have to be 400'. That is just a conservative average.

Will there be a middle lane/median ? Will it be 4 lane?

- **i.** We need to construct the road to safety and design standards. Will try to have least impact with the cross section. Do not have a cross section decided upon yet.

Is the speed limit going to be 70 mph?

- **i.** Should be mostly 65 mph. Will be slower where it connects to existing.

How will we transport livestock and vehicles across route?

- **i.** We will need to provide accesses to land and can consider cattle passes.

Accesses have been promised in the past and never given. Don't trust you anymore.

What is the future projection of the City of Williston to the E by 2040?

- **i.** 50,000 – 70,000 based on NDSU study. Williston has learned that it wants to be big enough to be prepared for extra growth. Will primarily grow to the NW. The Little Muddy River acts kind of like a natural barrier to the east but is not absolute.

A new study should be done for future traffic counts because there are new methods for oil production (pipelines instead of trucks)**.**

- **i.** We have had these dicussions**.** Frack sand in growing. Still think that trucks per oil well will be the same overall (about 2,000). Just a change of when the trucks are showing up.

What would the EA change the lines on paper?

- **i.** We do not have a preffered alignment yet, and without a preffered alignment we can't complete some documents. The EA helps determine what should be preferred.

Even if owners don't want to sell the DOT gets to dictate what owners are paid and just take your land.

- **i.** Eminent domain uses independent appraisers to get values for land. The NDDOT does not want to use eminent domain. Will primarily focus on negotiating with land owners on prices so that both parties are satisfied.

Concern about higher taxes for highway frontage because it is "worth more" but we can't make any more money off the land.

- **i.** Don't want to minimize your concerns, but we need your concerns in writing so we can take them to other decision makers.

Is environmental the most important thing?

- **i.** Environment contains people, environment and any impact on the surroundings.

Have you ever asked land owners in the area if anyone wants this route on their property?

- **i.** That is why we have public input meetings.

When they came out and did the noise studies there was no traffic on highway 2, and it wasn't very loud.

- **i.** The noise study builds a model of the existing conditions and then simulates putting a new road in the area and measures the change, so if it was quiet when they recorded the existing conditions it will actually show more change when the traffic is added.

Is there other info available? What does the line really mean? How wide does it go? How many lanes? I can't comment without knowing specifics.

- **i.** Can't really provide any more specifics. Don't have full survey yet (only have 2'-10' of accuracy right now). Don't have a detailed design. Basing on 400' corridor now with one access per side per mile. We need to provide owners access to their land and can discuss cattle passes.

Why don't you just use existing section line roads?

- **i.** Not feasible to make them safe for 65 mph.

Is this going to be a dead idea if we pick it up 10 years from now?

- **i.** EA will only be valid for 3-5 years and we will have to revisit it if we pick up this project again.

Cattle passes have been promised to other owners and not given. Need to be able to get livestock across this road.

- **i.** There is a form used to request cattle passes for existing roads which takes into consideration cost, amount of cattle, frequency, etc. Need to get agreements in writing. If buying new ROW (new roadway) a cattle pass can be put into negotiations. Cattle passes are 4' wide and 6' tall.

Would not be able to fit a Gator through there. How many do you get?

- **i.** That will be analyzed and be part of ROW negotiatons. Need to be reasonable and responsible of taxpayers money.

Is everyone treated the same or are there individual negotiations?

- **i.** Individually negotiated and appraised. Prices determined on fair market value.

Is it considered industrial land now if it was agricultural before.

- **i.** It would remain agricultural until zoned differently by the county.

What is the average lifespan of a road?

- **i.** Asphalt is 20 years before major reconstruct/repair. Concrete is 30 years before major reconstruct/repair. Haven't determined which will be used for this route. Concrete is usually more expensive, but when the oil prices were so high that made asphalt more expensive than concrete so there were a lot of concrete roads made.

How many public hearings do there have to be?

- **i.** One Public Hearing. This public input meeting is extra at request of the county.

You want the county to sign letters that preserve the future "preferred" alignment ROW and zoning for 10 years. If they don't sign will the project be scrapped?

- **i.** Essentially yes. Don't want to put more money into the project if it can't be preserved. If oil booms again the city and county will likely come back asking for the trucks to be moved out of town.

Some of the land is in trusts that state it will be farmed for 3 or 4 generations. It would break the trust to sell it. They had this same issue on the NW route.

What is the difference between the people living on county road 9 and the people living in the country. They (CR 9) can move and we (country) don't want to.

i. There are many more people living on county road 9 than living in the country. It is a democracy, majority rules. It was told to everyone that county road 9 was supposed to be a temporary route. We are tying to find the best route that is best for everybody.

Don't have next meeting during caving season, spring time, or harvest.

What is the state asking the county to preserve for the preferred route.

i. Want county to preserve planning and zoning for the 400' corridor. So if someone wants to come in and put a subdivision in the middle of the preffered route they won't be able to.

Statoil alread moved their proposed pad because it was too close to this route.

i. We were not aware that they moved any of their pads because of the route.

3. **Invited public to look at maps in th back of the room, continue asking questions, and fill out comment cards.**

Public Meeting #2 (November 15, 2016) – Williston NE TRR

Summary of Comments and Responses

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
M	1	Gordan Brokaw	Impacted by blue route; suggest alternate route that would not split farm and major coulees (curve thru Sections 34 & 33 then north at half section line of Section 28).	Comment noted.
N	1	Mark Ellis	Reconsider CR #9 due to trucking type companies along route.	Comment noted.
N	2	Mark Ellis	Reconsider project due to waste of taxpayer money. Project is based on studies that are "wild guesses".	Comment noted.
O	1A/B	Mike & Donna Hansen	County commissioners need to move forward with NDDOT and provide the need info to the public; commissioners should choose a route that causes least disruption.	Comment noted; Williams County has identified the "Black" route as the preferred alternative.
O	2	Mike & Donna Hansen	Heavy truck traffic has not decreased; heavy truck traffic affects hundreds of residents and their families.	Comment noted.
O	3	Mike & Donna Hansen	Choose the least disruptive route and accommodate those affected.	Comment noted.
P	1	Lori Knoshaug	Do not want truck route through our ranch.	Comment noted.
P	2	Lori Knoshaug	Route would split 1600 acres east to west; takes out access to hayfields and pastures and goes over one existing road.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
P	3	Lori Knoshaug	Cattle passes to accommodate a side by side ATV (6-feet), or larger, are needed.	Comment noted.
P	4	Lori Knoshaug	Route will take out trees that will need to be replaced.	Comment noted.
P	5	Lori Knoshaug	NE 1/4 of SW 1/4 of Section 14 will have an odd sliver of land; what are we to do with it?	Comment noted.
P	6	Lori Knoshaug	Concerned about responsibility of new fencing.	Comment noted.
Q	1	Joy Larsen	Farmer and rancher in line to lose land important to livelihood; ranch cut in half no matter which route.	Comment noted.
Q	2	Joy Larsen	Why was earlier preferred route taken off list completely? Was told due to "pinch point" between cultural site and a coal mine.	Comment noted.
Q	3	Joy Larsen	Why can't the coal mine be filled in and use that route? State has done before.	Comment noted.
Q	4	Joy Larsen	Why should farmers and ranchers suffer versus residences on 85B?	Comment noted.
Q	5	Joy Larsen	Even though impacting less people, have greater negative economic hit by two routes chosen.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
R	1	Milton O. Lindvig	Understood that criteria for project were not revised to reflect downturn in oil industry. At time Ulteig scope and agreement dated (in 2014), there were 190 drill rigs operating in the state. On December 2, 2016, there were 39 rigs drilling for oil in the state.	Comment noted.
R	2	Milton O. Lindvig	Lower oil prices, more pipelines and changes in the oil industry result in less truck traffic. Number of drill rigs will be less than the number operating when project criteria were developed.	Comment noted.
R	3	Milton O. Lindvig	Analysis for determining criteria for the project should be updated to reflect current conditions. An expanded study area may reveal better alternatives.	Comment noted.
R	4	Milton O. Lindvig	Traffic on the current "temporary" route is less; improvement to Hwys 6 and 9 may be better; there are ~40 business along CR 9 that will continue to use that road.	Comment noted.
R	5	Milton O. Lindvig	The TRRs currently defined at the meeting are a substantial impact without adequate justification; the routes appear to benefit two or three oil service companies.	Comment noted.
R	6	Milton O. Lindvig	Ask that consideration be given to other alternatives for managing truck traffic.	Comment noted.

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
S	1A/B	Floyd and Donna Peterson	Request that Williams County Commissioners decide on one of the proposed routes to enable residents/landowners to plan for future.	Comment noted; Williams County has identified the "Black" route (Alternative H) as the preferred alternative.
S	2	Floyd and Donna Peterson	Residents of subdivisions are impacted by lack of safer road.	Comment noted.
T	1	Tammie Richardson	Would like commissioners to make a decision; traffic would impact significantly less people on other roads. Truck traffic on CR 9 is not safe.	Comment noted; Williams County has identified the "Black" route (Alternative H) as the preferred alternative.
U	1	Shauna Smigowski and Jason Harkison	Proposed truck route on 1804 is better due to buses on temporary bypass; also have to cross road to mail box. Truck traffic not intended for area.	Comment noted.

Comment Card

DOCUMENT "M"

Email comments with the subject line **"NE TRR Public Input Meeting Comments"** or mail comment card by November 30, 2016 to:
jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Comment(s)

1 WOULD LIKE SOME INPUT AS TO WHERE THE ROUTE COULD GO THAT WOULD HAVE LESS IMPACT ON ME - BLUE ROUTE
IE: CURVE THRU SECT 34 + 33 THEN NORTH AT THE HALF SECTION LINE OF SECT 28 - WOULD NOT SPLIT MY FARM IN HALF AND WOULD AVOID THE MAJOR COULEES.

Gordon BROKAW
Name

LAND OWNER AFFECTED
Representing BY BLUE ROUTE

1833 CREST ST
Address WILLISTON ND

701-770-5745
Phone

gbrokaw1@ibt.net
Email

Comment Card

DOCUMENT "N"

Email comments with the subject line **"NE TRR Public Input Meeting Comments"** or mail comment card by November 30, 2016 to: jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Comment(s)

1 I would like you to reconsider county road 9. There is already more than 40 trucking type companies along it.

2 This is a foolish waste of taxpayer money. It is based on studies that basically wild guesses. Please reconsider this project.

Mark Ellis
Name

Representing

5658 133rd Ave NW
Williston
Address

701-774-0188
Phone

Email

Comment Card

Email comments with the subject line **"NE TRR Public Input Meeting Comments"** or mail comment card by November 30, 2016 to: jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

DOCUMENT "O"

Mike & Donna Hansen
Name

Selves
Representing

5277 134th Ave. NW
Williston, ND 58801
Address

701-570-3076
Phone

hansensunltd@nccray.net
Email

Comment(s)

Jen,

Mike and I feel the need to contact you regarding the stand-down on moving forward on the (with) moving the truck reliever route (temporary) to a permanent alternate route. It appears that our Williams County Commissioners have decided not to decide.

We do realize that NDDOT has had to halt environmental assessments as a result of the county's avoiding their responsibility. We also realize that about $5 million has already been invested. We are wondering when the County Commissioners are going to see that the public deserve answers to their questions and to move forward with the NDDOT and the residence affected by the new route. 1A

We want to contradict those who stated that "the heavy truck traffic has decreased." 2 This individual is very mistaken and obviously has not / does not live on County 9. It lightened up for a brief time and has again become as heavy as it was, and is affecting hundreds of residents and their families. Either of the 2 proposed routes will affect considerably fewer residents. We would all like to see a route that affected no one, but that is not possible. So, we would hope to see the "powers-that-be" will choose the least disruptive route and make every effort to accommodate those who are affected. It does appear that NDDOT has kept these in mind by, for example, use of cattle passes as required. 3

It is our hope that the William County Commissioners will provide the need info to the public, chose a route that causes the least disruption and do their civic duty and get it done! 1B

Comment Card

DOCUMENT "P"

Email comments with the subject line **"NE TRR Public Input Meeting Comments"** or mail comment card by November 30, 2016 to:
jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Lori Knoshaug
Name

Lori Knoshaug
Jennie Knoshaug
Representing

5126 131st ave NW

Williston ND
Address

701 770 3921
Phone

rockyhills2@hotmail.com
Email

Comment(s)

1 Do Not want truck route Through our Ranch!!

2 You are Splitting 1600 acres down the middle east to West with truck route and then taking out our only road to get North TO our Hayfields & North pastures. The terrain is to rugged to cross anywhere else and you are going over the top of our one existing road. (See map)

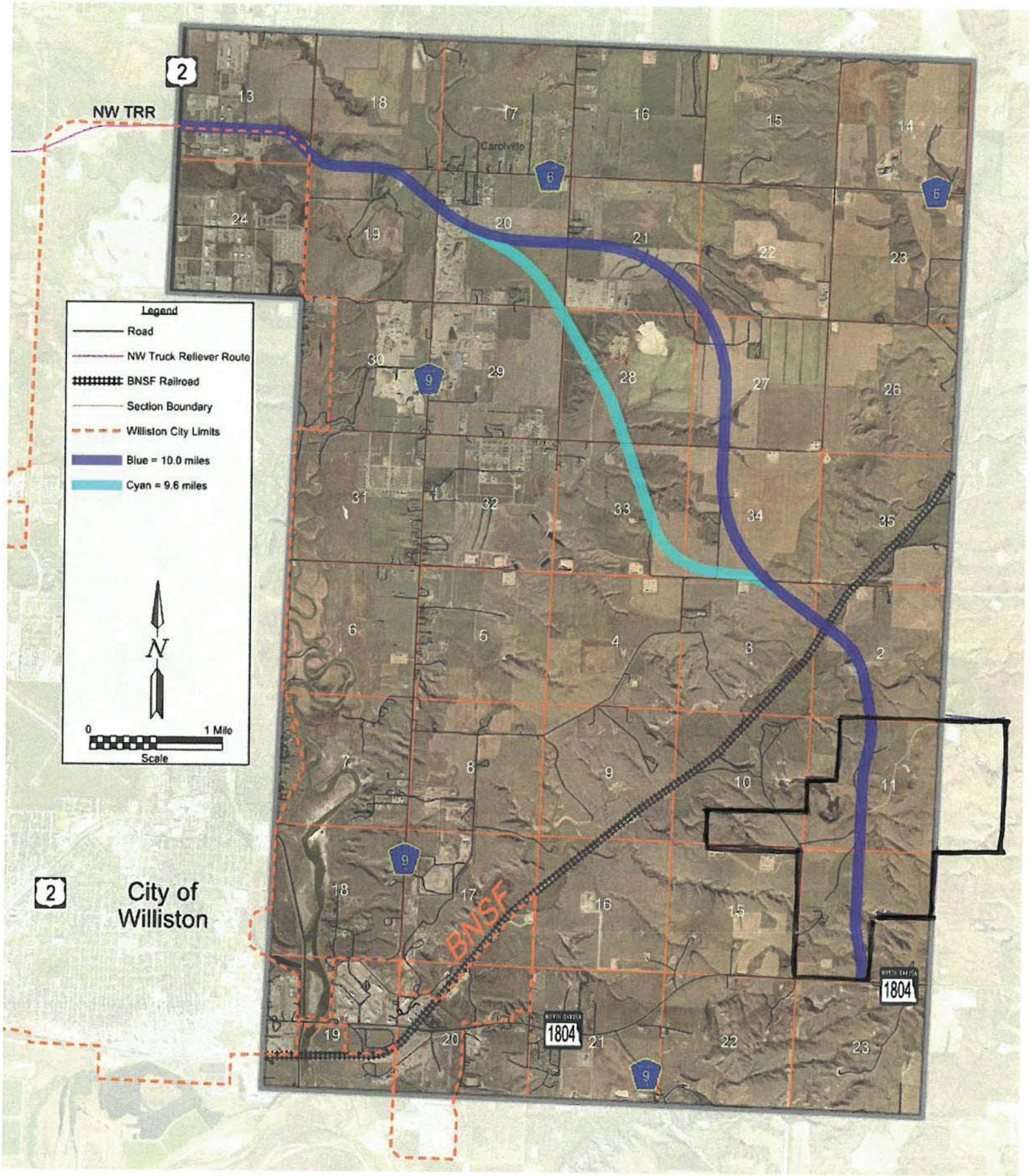
3 Cattle passes large enough for a side by Side ATV (6ft) or larger will have to be put in

4 Your route will take out some Trees so we will Need Trees put Back in.

5 NE 1/4 of SW 1/4 of 14 will have an odd Sliver of land. (See map) What do we do with that?

6 Also concerned about the 4 miles of new fence that is Now Our responsibility when Some one goes through it.

Hay field
Hay field
11
Terrain to rugged to cross
You are Deviding The Ranch East + west with TR Road + North and South by taking out our Only Road
HAYFIELD
Ranch
1
1
HWY 1804



Potential Williston Northeast TRR Alignments

Comment Card

Email comments with the subject line **"NE TRR Public Input Meeting Comments"** or mail comment card by November 30, 2016 to: jennifer.hanley@ulteig.com

Ulteig
Attn: Jen Hanley
3350 38th Ave S
Fargo, ND 58104

Joy Larsen
Name

self
Representing

5374 132nd Ave NW
Address Williston, ND 58801

701 572 7693
Phone

Email

DOCUMENT "Q"

Comment(s)

Thank you for holding another meeting concerning the NETRR. As a farmer and rancher, I am in line to lose land that is important to my livelihood as well as having my ranch cut in half no matter which route is chosen.

1

I am concerned why the preferred route ~~to~~ that was chosen earlier in the process was taken off the list ~~of prefer~~ completely.

2

As I recall, the state DOT wanted to tie in to county 9 south of 1804. I was told the reason was because of a "pinch point" of only 40'. He told me the pinch point was between a "cultural" point and a coal mine. Why can't the coal mine be filled in and then use that route. The state filled in coal mines under county nine before it was turned into 85-B and it seems to be holding up very well. Also, why should us farmers and ranchers suffer loss to our business and residences and not just our residences on 85 B. Just because you are affecting less people, I would guess you are having a greater negative economic hit by these two routes you have chosen.

3

4

5

DOCUMENT "R"

TO: Jennifer Hanley, PE, Project Manager, Ulteig Engineering, Inc.
FROM: Milton O. Lindvig, PE (retired), Landowner
SUBJECT: Comments on NDDOT Project 7-804(053)900 PCN 20788
Williston ND Truck Reliever Route
DATE: December 2, 2016

The following are comments on the subject project and pertaining to the information presented at the public meeting held in Williston by the NDDOT on November 15, 2016.

1 It is understood that the criteria for the project were not revised to reflect the downturn in the oil industry that began the second half of 2014. It was stated that the results of the study to determine the criteria would apply by anticipating they would still be valid albeit further into the future. It is noted that the Scope of Services for the study of potential routes is dated August 25. 2014, and the agreement with Ulteig Engineering, Inc. was signed by the North Dakota Department of Transportation on September September 16, 2014. Thus, the criteria for the study were established and a contract executed while about 190 drill rigs were still operating in the state. On December 2, 2016, 39 rigs were drilling for oil in the state.

2 After two years of lower oil prices, much has changed in the oil industry in North Dakota. The number of wells drilled on a pad after the rig is moved to the site is generally 4 to 6. The time to drill a well is now much shorter due to better technology and the overall experience of the companies. More pipelines are being constructed for the gathering of crude oil, natural gas, and salt water. Water for fracturing is being delivered to well sites by pipeline. All of this results in less truck traffic. As the industry settles into a somewhat normal drilling pace, the number of rigs will be substantially less than the number of rigs operating when the criteria for this project were developed.

3 I believe the analysis for determining the criteria for the project should be updated to reflect the current conditions and reasonable estimates made as to the truck traffic that may result with some increased drilling activity. Such an analysis would likely show a need for significant revisions in the scope and needs of the project. An expanded area of study may also reveal alternatives that are more practical and less intrusive for the landowners and residents of the area. It is perhaps unfortunate that two or three oil service companies are presently located along Hwy 1804 east of the Little Muddy River. However, they seem to have weathered the “boom” years of 2011 through 2014 without noticeable ill effects.

4 Even though the route along County Highways 6 and 9 was termed “temporary” at the time it was designated, and this was during a time when the traffic numbers were much higher, the traffic today is significantly less. Under the changed traffic conditions, improvements to these highways for better traffic flow may be justified and practical. As Mr. Ellis stated at the public meeting, about 40 businesses along County 9 will continue to use that road.

5 Mr Owan made a very relevant point at the public meeting when he described the sacrifices landowners have made and are making to accommodate the oil industry. In the face of eminent domain, the landowners are usually compelled to accept the remuneration set by the party that wants to acquire the property or access to it. The “truck reliever routes” as currently defined at the meeting is an example of a substantial impact to the affected landowners without adequate justification that the route is essential and that no other alternatives are available. The routes appear to be mostly for the benefit of two or three oil service companies located in the southeast corner of Williston.

6 Based on the above comments, it is asked that in light of the changed conditions in the oil industry, consideration be given to other alternatives for managing truck traffic between Highway 1804 and Highways 2 & 85.

DOCUMENT "S"

From: Amy J. Denz
To: Alicia G. Showalter
Subject: FW: NNE TRR PUBLIC INPUT MEETING COMMENTS
Date: Tuesday, November 29, 2016 9:56:40 AM

-----Original Message-----
From: Jennifer Hanley [mailto:Jen.Hanley@Ulteig.com]
Sent: Tuesday, November 29, 2016 12:53 PM
To: Zacher, Wayne A. <wzacher@nd.gov>; Amy J. Denz <adenz@wenck.com>
Subject: FW: NNE TRR PUBLIC INPUT MEETING COMMENTS

-----Original Message-----
From: Donna L. Peterson [mailto:donnal.peterson@yahoo.com]
Sent: Monday, November 28, 2016 10:28 PM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: NNE TRR PUBLIC INPUT MEETING COMMENTS

NNE TRR PUBLIC INPUT MEETING COMMENTS November 28 2016

This in regard to the Proposed Truck Reliever Route northeast of Williston.

1A We are requesting that the Williams County Commissioners elect to decide on one of the proposed routes for the truck reliever route northeast of Williston.

By delaying the decision it is a waste of taxpayers money and the time already invested in the studies. At least by choosing a route, the ND Department of Transportation has reason to continue the environmental assessment process. $5,000,000. already spent in the studies is a lot of money to waste, and its sounds like the same truck reliever route will have to be addressed in the near future.

2 All the residents of the single family housing subdivisions are impacted by the lack of a safer road. The impact of these subdivisions must have surely been considered when zoning the areas as single family housing along County Road No. 9. There are day cares, school bus routes, in addition to the many residents of Williams County, who routinely travel this road to and from Williston on a daily basis every day. Presently County Road 9 is listed at 45 mph speed limit, that many drivers do not adhere to. This with the mix of large trucks, pickups, buses and family vehicles only add to the dangerousness of this road.

1B Making the decision on the proposed route would also enable residents and landowners of Stony Creek and Pherrin townships time to do some planning for the coming years. Not doing so, leaves many residents in limbo.

Floyd N. Peterson. Donna L. Peterson

5360 134th Ave. NW
Williston, ND 58801

Sent from my iPad

DOCUMENT "T"

From: Amy J. Denz
To: Alicia G. Showalter
Subject: FW: NE TRR Input Meeting Comments
Date: Tuesday, November 29, 2016 9:56:59 AM

From: Jennifer Hanley [mailto:Jen.Hanley@Ulteig.com]
Sent: Monday, November 28, 2016 4:39 PM
To: Zacher, Wayne A. <wzacher@nd.gov>; Amy J. Denz <adenz@wenck.com>
Subject: FW: NE TRR Input Meeting Comments

FYI

Jennifer Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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From: Richardson,Tammie L [mailto:Tammie.Richardson@edwardjones.com]
Sent: Monday, November 28, 2016 2:13 PM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: NE TRR Input Meeting Comments

Jen,

1 I would like to provide my input regarding moving the truck reliever route... We live just off County 9, at 5489 133rd Avenue NW. We have seen an increase in traffic recently and would like the commissioners to make a decision on one of the new proposed routes. It would impact significantly less people if it were on one of the other roads. Hundreds of people with children (myself included) live on County 9 and the truck traffic on this road is not safe. These trucks travel at a high rate of speed and it is concerning for the other traffic on the road.

Thank you for your time.

Tammie

Tammie Richardson

Senior Branch Office Administrator for Donna Hansen

Regional Event Coordinator

1007 24th Street West, Suite #101

Williston, ND 58801

Phone: (701) 572-8707 Toll Free Fax: (877) 818-4664

tammie.richardson@edwardjones.com

Tammie Richardson
Senior Branch Office Administrator
Edward Jones
1007 24th Street West
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Williston, ND 58801
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www.edwardjones.com

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DOCUMENT "U"

From: Amy J. Denz
To: Alicia G. Showalter
Subject: FW: NE TRR Public Input Meeting Comments
Date: Thursday, December 01, 2016 6:46:48 AM

Can you please save all of these emails to a public meeting folder? Thanks.

-----Original Message-----
From: Jennifer Hanley [mailto:Jen.Hanley@Ulteig.com]
Sent: Wednesday, November 30, 2016 3:50 PM
To: Zacher, Wayne A. <wzacher@nd.gov>; Amy J. Denz <adenz@wenck.com>
Subject: FW: NE TRR Public Input Meeting Comments

-----Original Message-----
From: Shauna [mailto:shauna.sniegowski@gmail.com]
Sent: Wednesday, November 30, 2016 9:46 AM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: NE TRR Public Input Meeting Comments

Jen,

1 The proposed truck route on 1804 is a better Place than the current temporary bypass. I have young children that take the bus; there are a few buses along this route for district 8. I also have to mention that my mail box is across the main road, which is dangerous. The extra truck traffic is not intended for this area.

Thank you for your consideration

Shauna Sniegowski
Jason Harkison

Always stay humble and kind.

Additional Public Comments

Shane Anderson with NDDOT response (September 2017)
Dave Ruffie with NDDOT response (October 2017)
Shane Anderson and Concerned Citizens with FHWA response (May 2018)

Williston NE TRR

Summary of Comments and Responses Received Outside of the Public Meeting Process

Document Code	Comment #	Name of Commenter	Summary of Comment	Response to Comment
V	1A/B	Shane Anderson	What is the proximity of the new black route to our home? Are there plans for noise mitigation due to proximity to homes?	Layout of the proximity of the Black Route was provided. Noise mitigation is based on meeting criteria for feasibility and reasonableness; it is difficult for a single dwelling to meet both criteria due to cost effectiveness. Final determination on noise mitigation has not been made.
W	1A/B	Dave Ruffie	Troublesome that a closer route to Williston is being considered since reason for a new route is to move truck traffic away from the City; requested a map of the proposed routes. The route will spur development and soon face same issues as current route.	Layout was provided; the City/County identified the Black Route as their preferred and NDDOT agreed. Preferred Route is not a "decision".
X	1	Shane Anderson	Concerned there has not been public meetings about the Black Route. Concerned that past truck routes have gone through residential and commercial areas, and should move the truck route far enough east to avoid future development that may require it to be moved again.	Two public meetings were held (June 2015 and November 2016). After the second meeting, the City and County, asked the NDDOT to investigate a previously discarded alternative. After further analysis, that alternative was modified and became the new preferred route, also known as the Black Route. A future public hearing within the community will be held where the public can provide input on all of the alternative in the EA prior to selecting an alternative.

DOCUMENT "V"

Megan M. Beyer

From: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Sent: Monday, October 02, 2017 2:41 PM
To: Amy J. Denz; Megan M. Beyer
Cc: Nikki Frank
Subject: FW: Williston NE TRR update

Follow Up Flag: Follow up
Flag Status: Flagged

Jennifer Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Monday, October 02, 2017 2:20 PM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: FW: Williston NE TRR update

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FIYI – response I sent to Mr. Anderson regarding the noise mitigation.

Wayne Zacher
(701) 328-4828

From: Zacher, Wayne A.
Sent: Monday, October 2, 2017 2:20 PM
To: 'Shane Anderson' <stonycreekkennels@hotmail.com>
Subject: RE: Williston NE TRR update

Mr. Anderson,

A final determination on noise mitigation has not been made. Our consultant is currently trying to determine if noise mitigation is “feasible” and “reasonable”. “Feasible” and “reasonable” are defined in policy by the following:

- Feasibility asks the question, can abatement measures be implemented?

- Deals with considering whether it is possible to build an abatement measure given the site constraints and if the abatement measure provides a minimum reduction in noise levels
- Must provide a minimum 5dBA reduction in highway noise for 80% of first row impacted receptors
- Considers acoustics and maintenance of the barrier
- Additional factors include:
  - Safety – Can't restrict sight distance, continuous shadow causing icing or snow accumulation in the driving lanes
  - Topography – Needs to be able to support measures
  - Drainage and utilities – Needs to maintain access to drainage and utilities
  - Barrier height – Will be considered on an individual basis and be discussed with each affected landowner
  - Maintenance – Needs to provide access to both sides of measure for maintenance

- Reasonability is combination of social, economic, and environmental factors
  - More subjective than feasibility
  - Three factors or "tests" of reasonableness
    - Viewpoints of property owners and residents of the benefited receptors
    - Cost effectiveness
    - Noise reduction design goal

It is very difficult for a single dwelling to meet the feasible and reasonable criteria. Typically, it is the reasonability that makes it difficult for a single dwelling to meet the criteria because of the cost effectiveness factor.

Wayne Zacher
(701) 328-4828

From: Shane Anderson [mailto:stonycreekkennels@hotmail.com]
Sent: Tuesday, September 26, 2017 4:16 PM
To: Zacher, Wayne A. <wzacher@nd.gov>
Subject: Re: Williston NE TRR update

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Mr. Zacher

1A Is there anything in the plans for noise mitigation beings it is in close proximity to homes?

Sent from my iPhone

On Sep 26, 2017, at 8:04 AM, Zacher, Wayne A. <wzacher@nd.gov> wrote:

> Mr. Anderson,
>
> Attached is a layout showing the proximity of the Black Route to your property.
>
> Wayne Zacher
> (701) 328-4828
>
> ---
>
> **From:** Zacher, Wayne A.
> **Sent:** Monday, September 25, 2017 10:11 AM

To: 'Shane Anderson' <stonycreekkennels@hotmail.com>
Subject: RE: Williston NE TRR update

Mr. Anderson,

I am working with our consultant to develop a layout similar to the one that you previously received for the "Red" Route. An overall layout of the corridor that the City and County has identified as their preferred route was in the Williston Herald last Friday.

I will send the layout with dimensions shown as soon as I receive it.

Wayne Zacher
(701) 328-4828

From: Shane Anderson [mailto:stonycreekkennels@hotmail.com]
Sent: Monday, September 25, 2017 9:38 AM
To: Zacher, Wayne A. <wzacher@nd.gov>
Subject: Re: Williston NE TRR update

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Mr. Zacher

1B

I am of the understanding that there is a new black route option for the Williston NE TRR. If there is what is the proximity to our home?

Thank you

Shane L. Anderson

From: Zacher, Wayne A. <wzacher@nd.gov>
Sent: Tuesday, May 31, 2016 7:38 AM
To: stonycreekkennels@hotmail.com
Cc: Gathman, Bill P.; Jennifer Hanley
Subject: RE: Williston NE TRR update

Shane,

As you and I discussed last week, I confirmed the “Orange” route has been removed from studies. Attached you will see a layout showing the proximity of your property in relation to the “Red” route. From the centerline of the alignment, your home is just shy of 1500 feet away and the far north end of the property is just over 1200 feet away from the centerline.

Wayne

From: Zacher, Wayne A.
Sent: Monday, May 23, 2016 8:08 AM
To: 'stonycreekkennels@hotmail.com'
Cc: Gathman, Bill P.; Jennifer Hanley
Subject: Williston NE TRR update

Mr. Anderson,

I understand you are looking for an update on the Williston NE TRR. Currently, we are reviewing and finalizing preliminary reports that will ultimately be used to complete the Environmental Assessment. At this point, the Public Hearing has not been scheduled, but I do expect it at some point this summer.

You also requested to meet with someone from the NDDOT. I and/or someone from our consultant would be happy to meet with you; however, I would like a little better handle on what your concerns are to ensure we are able to address your issues adequately.

Wayne A. Zacher, P.E.

Transportation Engineer, Design Division

ND Department of Transportation

608 E Boulevard Ave, Bismarck, ND 58505-0700

Phone: (701)328-4828

Email: wzacher@nd.gov

<Shane Anderson_map_2017_9_25_reduced.pdf>

DOCUMENT "W"

Megan M. Beyer

From: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Sent: Thursday, October 05, 2017 7:43 AM
To: Amy J. Denz; Megan M. Beyer
Subject: FW: Response to your Request on the Williston NE TRR

Follow Up Flag: Follow up
Flag Status: Completed

Jennifer Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Thursday, October 05, 2017 7:11 AM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: FW: Response to your Request on the Williston NE TRR

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FYI – Response from Mr. Ruffie.

Wayne Zacher
(701) 328-4828

From: Dave Ruffie [mailto:dave@henryhilloil.com]
Sent: Wednesday, October 4, 2017 5:47 PM
To: Zacher, Wayne A. <wzacher@nd.gov>
Subject: Re: Response to your Request on the Williston NE TRR

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1B

Thank you for your response.
This whole process has become very political, especially locally.
As I stated in my request, it may be the "preferred" route but for many of the wrong reasons.

1B The development that has already occurred, and with the advent of the 1804 upgrade, will most definitely spur much more growth in the future.
The route will be facing the same problems in a very short time as the current route is.

Respectfully,

Sent from my iPhone

On Oct 4, 2017, at 2:36 PM, Zacher, Wayne A. <wzacher@nd.gov> wrote:

> Mr. Ruffie,
>
> Attached is the layout that you have requested. A couple of weeks ago the City and County identified the Black Route as their preferred. Since that time, the NDDOT agreed with their recommendations and adopted the Black Route as the Preferred Route.
>
> However, the Preferred Route is just that; the NDDOT does not make a "decision" on this type of document.
>
> Wayne A. Zacher, P.E.
> Transportation Engineer
> Design Division
> ND Dept. of Transportation
> 608 E Blvd Ave
> Bismarck, ND 58505-0700
> Phone: (701) 328-4828
>
> <AlternativeRoute_8_4_17_map_reduced.pdf>

Megan M. Beyer

From: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Sent: Wednesday, October 04, 2017 2:40 PM
To: Amy J. Denz; Megan M. Beyer
Subject: FW: Response to your Request on the Williston NE TRR
Attachments: AlternativeRoute_8_4_17_map_reduced.pdf

Landowner response

Jennifer Hanley, PE
Technical Manager
3350 38th Avenue South • Fargo, ND 58104
Direct: (701) 280-8582
www.ulteig.com

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From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Wednesday, October 04, 2017 2:37 PM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: FW: Response to your Request on the Williston NE TRR

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FYI – My response to the Landowner.

Wayne Zacher
(701) 328-4828

From: Zacher, Wayne A.
Sent: Wednesday, October 4, 2017 2:36 PM
To: 'Dave@henryhilloil.com' <Dave@henryhilloil.com>
Subject: Response to your Request on the Williston NE TRR

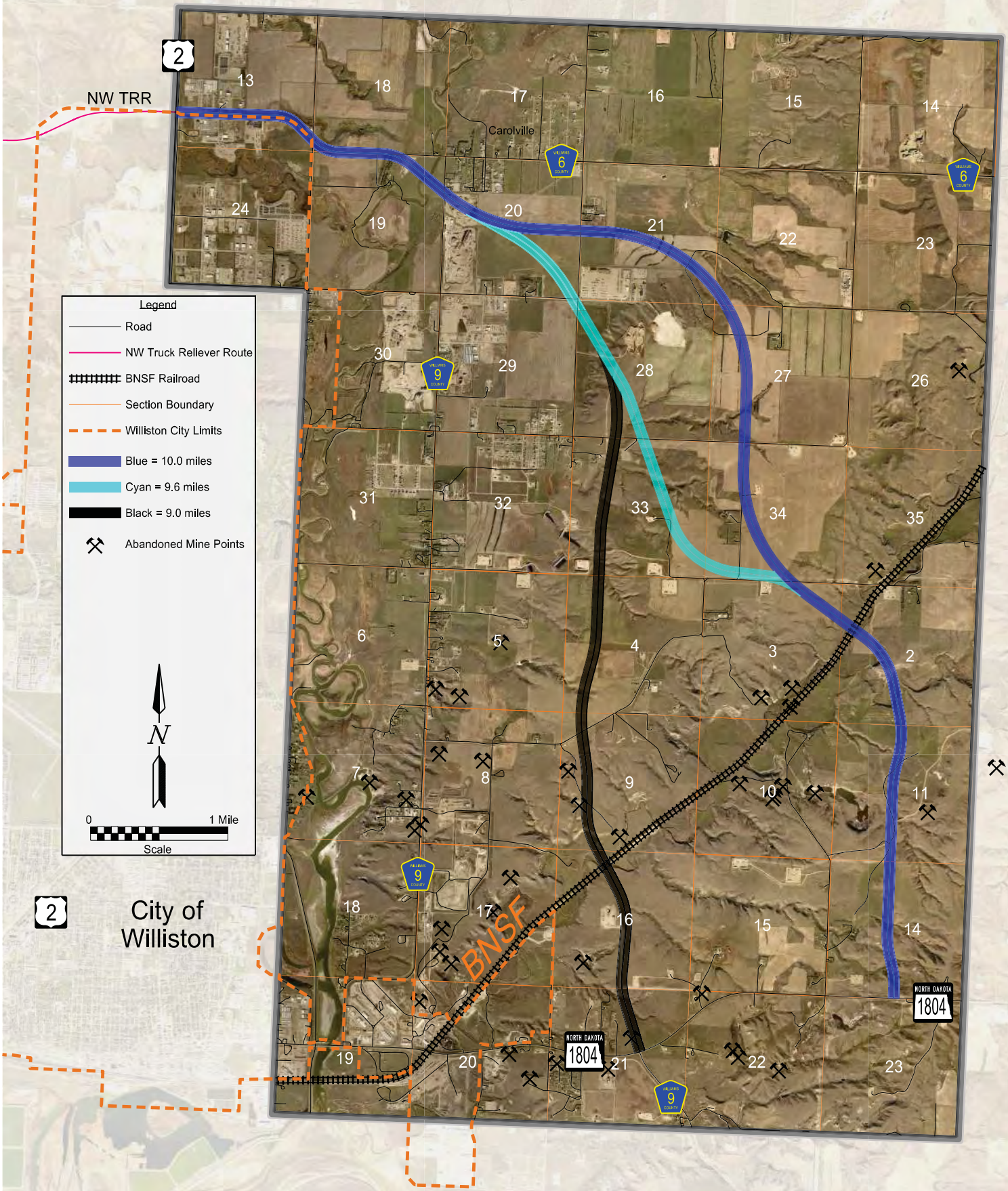
Mr. Ruffie,

Attached is the layout that you have requested. A couple of weeks ago the City and County identified the Black Route as their preferred. Since that time, the NDDOT agreed with their recommendations and adopted the Black Route as the Preferred Route.

However, the Preferred Route is just that; the NDDOT does not make a “decision” on this type of document.

Wayne A. Zacher, P.E.
Transportation Engineer

Potential Williston Northeast TRR Alternatives



Megan M. Beyer

From: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Sent: Wednesday, October 04, 2017 2:40 PM
To: Amy J. Denz; Megan M. Beyer
Subject: FW: NDDOT Question

Landowner request.

-----Original Message-----
From: Zacher, Wayne A. [mailto:wzacher@nd.gov]
Sent: Wednesday, October 04, 2017 2:37 PM
To: Jennifer Hanley <Jen.Hanley@Ulteig.com>
Subject: FW: NDDOT Question

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FYI - landowner request

Wayne Zacher
(701) 328-4828

-----Original Message-----
From: -Info-Dept. of Transportation
Sent: Wednesday, October 4, 2017 2:20 PM
To: Zacher, Wayne A. <wzacher@nd.gov>
Subject: FW: NDDOT Question

Hello Wayne:

Could you help Mr. Ruffie with his question?

Thanks,
Terri

-----Original Message-----
From: -Info-Dept. of Transportation
Sent: Wednesday, October 04, 2017 8:42 AM
To: -Info-Dept. of Transportation <dot@nd.gov>
Cc: Dave@henryhilloil.com
Subject: NDDOT Question

This email confirms NDDOT has received your inquiry. Your email is very important to us. Please do not respond to this email. Thank you.

Name: Dave Ruffie

Email Address: Dave@henryhilloil.com

Confirm Email Address: Dave@henryhilloil.com

Subject: East truck route for Williston

1A

Message: It is my understanding that the proposed routes for the east truck bypass for Williston have been modified yet again. Specifically, a former route has been reconsidered that would move the route closer to Williston. It troubles me that a closer route is being considered since there has been so much development in the area. I believe that the reason for a new truck route is to move truck traffic away from the city, not through one of the areas that has seen a tremendous amount of growth in recent years. I am requesting a map of the proposed routes be emailed to this email address.

DOCUMENT "X"

Wendell Meyer:

1

As homeowners in the area of the Black Route, for the Northeast truck reliever route we are very concerned about there being no public input meetings on this route while being considered as the preferred route by the county and city. The Black Route was never made public until it was considered to be the preferred route by the county and city commissioners. Wayne Zacher of the NDDOT has told us the Black Route is considered to be a realignment of the red route. The red route which along with the orange route, were thrown out by the NDDOT because of archeological significance. What does the Federal Highway Administration consider to be realignment and will us landowners have an opportunity to raise our concerns. This realignment is over 1000' closer to the residential area where we live and raise our families. Hopefully our kids and their wellbeing are as important to the state and federal authorities as the teepee rings, arrow heads and farm land that is further east! Williston has had many problems in the past with truck routes being absorbed by residential and commercial areas and we feel strongly that if a truck route is needed on the east side of Williston it would be advantageous to get it far enough out that it would not need to be replaced again in the near future. Thank you for your time and we await your response on how this should be handled.

Print	Signature	Date
Shane L. Anderson		5/4/2018
Melissa A. Anderson		5/4/2018
Evan J. Ritter		5-8-2018
Korraine A Samor		5/8/18
Ethan Ritter		5/9/18
~~Brandon Leach~~		~~5/9/18~~
Ashley Ritter		5/9/18
Randy Shellum		5-9-18
John W. Wyman		5/14/18
Casey Heller		5-14-2018
Leslie Bean		5/14/2018
Marla Bean		5/14/2018

Not a home owner

U.S. Department of Transportation
Federal Highway Administration

North Dakota Division

4503 Coleman Street, Suite 205
Bismarck, North Dakota 58503
Phone 701-250-4204
Fax 701-250-4395

May 30, 2018

VIA STONYCREEKKENNELS@HOTMAIL.COM

Mr. Shane L. Anderson
Williston, North Dakota 58801

Dear Mr. Anderson:

Subject: Williston Northeast Truck Reliever Route

Thank you for your email of Wednesday, May 16, 2018, expressing concerns about the preferred alternative to construct a future roadway to route heavy truck traffic around the community of Williston, North Dakota.

The Federal-aid Highway Program is a federally assisted, state administered program which means that the Federal Highway Administration assists the North Dakota Department of Transportation (NDDOT) and local agencies who administer the program.

The Environmental Assessment (EA) is currently underway for the Williston Northeast Truck Reliever Route which includes public involvement. Specifically, two public meetings have been conducted to date, one on June 25, 2015, and another on November 15, 2016.

The purpose of the first meeting was to inform the public of the purpose and need of the proposed project and to seek public input on a variety of potential routes for further consideration later in the process. The purpose of the second meeting was to advise the public of two routes which were deemed reasonable "build" alternatives after considering preliminary engineering and environmental factors. After the second meeting, primarily due to public input, the City and County asked the NDDOT to include a previously discarded alternative to be investigated along with the other two alternatives. After further analysis, the previously discarded route was further modified and became the new preferred route, also known as the Black Route.

The NDDOT will schedule a future public hearing within the community where the public can provide input on all the alternatives within the EA prior to selecting an alternative.

Sincerely yours,

Wendall L. Meyer
Division Administrator

Enclosure: Concerned Citizens Original Email Submittal
Ecc: Mr. Ron Henke, NDDOT

Appendix K

North Dakota Department of Health General Environmental Incident Summaries

General Environmental Incident Summary

Incident: 820 **Date/Time Notice:** 2/27/2006 1014 **DEM Incident No:**

Responsible Party: Citation Oil & Gas Corp

Date Incident: 2/25/2006 **Time Incident:** 1645 **Duration:**

County: Williams **Twp:** 154 **Rng:** 100 **Sec:** 21 **Qtr:** NW NW NE

Lat: 48.14704 **Long:** -103.55020 **Method:** Derived from TRS

Location Description: Jenner 1-22 Wellsite
N 48 deg 08.530 W 103 deg 32.135

Submitted By: Lee Ann Elsom **Affiliation:**

Address:

City: **State:** **Zip:**

Received By:

Contact Person: Lee Ann Elsom
8223 Willow Place South
Houston, TX 77070

Distance Nearest Occupied Building:

Type of Incident: tank leak

Description of Released Contaminant: 15% Hydrochloric Acid

Volume Spilled: 546.00 gallons **Ag Related:** No

EPA Extremely Hazardous Substance: No **Reported to NRC:** No

Cause of Incident:

Special coated fiberglass tank was set at the well location for an acid job. Tank developed a leak that was discovered by the Landowner. Approximately 546 gallons leaked from the tank.

Risk Evaluation:

# of Fatalities: 0 **# of Injuries:** 0 **Affected Medium:** 00 - unknown

Potential Environmental Impacts:

Impact was minimal as ground was frozen at time of leak.

Action Taken or Planned:

Corey's Vacuum Jet was able to recover 420 gallons of acid. When acid job is complete and ground thaws, top layer of soil will be removed and disposed at an approved hazardous waste facility.

Wastes Disposal Location: Corey's Vacuum Jet is in the process of locating a hazardous waste facility and will pass that information on to us.

Agencies Involved: Other, NDIC

General Environmental Incident Summary

Incident: 1318 ***Date/Time Notice:*** 10/26/2010 1500 ***DEM Incident No:*** 10-090

Responsible Party: Falco Energy Transportation Co.

Date Incident: **10/26/2010** ***Time Incident:*** 1300 ***Duration:*** 72 hours

County: Williams ***Twp:*** 154 ***Rng:*** 100 ***Sec:*** 2 ***Qtr:*** NW NE NW

Lat: 48.19049 ***Long:*** -103.50690 ***Method:*** Derived from TRS

Location Description: 54th Street NW and BNSF Railroad

Submitted By: Tim Wiedrich ***Affiliation:***

Address:

City: ***State:*** ***Zip:***

Received By: Carl Ness

Contact Person:

4867 Highway 85 S
Williston, ND 58801

Distance Nearest Occupied Building: 1425 Feet

Type of Incident: Vehicle Accident

Description of Released Contaminant: **Crude oil and diesel fuel**

Volume Spilled: **120.00 barrels** ***Ag Related:*** No

EPA Extremely Hazardous Substance: Unknown ***Reported to NRC:*** Unknown

Cause of Incident:

Truck failed to stop at RR crossing.

Risk Evaluation:

Very low after fire burned out.

# of Fatalities: 1 ***# of Injuries:*** ***Affected Medium:*** 03 - soil

Potential Environmental Impacts:

Impacted ditch flows 800 feet directly to Stony Creek. Therefore BNSF was informed that removal of contaminated soils were required.

Action Taken or Planned:

Fire ensued, burning the transport and a semi-trailer on a flat-bed car burned. UPS semi-trailer carrying mixed load including some volume of sulfuric acid. Semi-trailer completely burned with little indication of release to ground. Earthmovers responded and assisted in fire supression. BNSF releaved Earthmovers until trackage was repaired the following day. Then Earthmovers returned and removed and replaced contaminated materials.

Wastes Disposal Location: Clean Harbors Landfill, Sawyer.

Agencies Involved: NDDES, State Highway Patrol, Local Fire Department, Local Law Enforcement,

Local Emergency Manager

General Environmental Incident Summary

Incident: 1620 ***Date/Time Notice:*** 2/7/2012 1300 ***DEM Incident No:***

Responsible Party: Unknown

Date Incident: **2/7/2012** ***Time Incident:*** 0955 ***Duration:***

County: Williams ***Twp:*** 154 ***Rng:*** 100 ***Sec:*** 2 ***Qtr:***

Lat: 48.19049 ***Long:*** -103.50690 ***Method:*** Derived from TRS

Location Description: 54th Street NW Williston at RR Crossing - DOT 093389B or about 7 miles east of Williston along BNSF RR Tracks; crossing is on township line, so spill could also be in T155 R100 S35

Submitted By: Garey Ketcham ***Affiliation:***

Address:

City: ***State:*** ***Zip:***

Received By: Brad Torgerson

Contact Person:

Unknown

Unknown, ND

Distance Nearest Occupied Building:

Type of Incident: Vehicle Accident

Description of Released Contaminant: **Diesel Fuel leaked from locomotive tank and salt water leaked from salt water truck tanker**

Volume Spilled: **3000.00 gallons** ***Ag Related:*** No

EPA Extremely Hazardous Substance: Unknown ***Reported to NRC:*** Yes

Cause of Incident:

A salt water tanker truck pulled onto the railroad tracks and was struck by a BNSF locomotive.

Risk Evaluation:

Salt water may have entered Stony Creek. Diesel entered a frozen irrigation ditch, but most of the diesel is contained between the RR Tracks.

# of Fatalities: 0 ***# of Injuries:*** 1 ***Affected Medium:*** 04 - water and soil

Potential Environmental Impacts:

Waters of the State appear to be impacted by the release and soils in the area of the release appear to be impacted as well.

Action Taken or Planned:

Diesel puddling between RR Tracks - Earth Movers enroute to spill area - Contact Mike Woolridge with BNSF for clean-up details at 763-782-3483 or 612-845-2029.

Wastes Disposal Location: Unknown

Agencies Involved: State Highway Patrol, Local Emergency Manager

Updates

Date: 4/28/2016 ***Status:*** Inspection ***Author:*** Stockdill, Scott

Updated Volume:

Notes:

Arrived on location 14:36, 4/28/2016.

No obvious signs of impact at the time of inspection. It appears that the railroad ballast has recently been swapped out. Some dead grass observed around the edges of the train tracks. Site appears to have been sprayed with herbicide rather than killed by produced water or diesel.

Contact BNSF for closure report on incident.

More follow-up is necessary.

General Environmental Incident Summary

Incident: 1664 **Date/Time Notice:** 4/18/2012 **DEM Incident No:**

Responsible Party: Knife River Corp

Date Incident: 4/18/2012 **Time Incident:** 0916 **Duration:** 20 minutes

County: Williams **Twp:** 154 **Rng:** 100 **Sec:** 20 **Qtr:**

Lat: 48.14698 **Long:** -103.57180 **Method:** Derived from TRS

Location Description: The crude oil release occurred near 4991 133rd Drive NW, Williston, south of Hwy 1804 near Stony Creek

Submitted By: Edward "Ned" Pettit **Affiliation:**

Address:

City: **State:** **Zip:**

Received By: Brad Torgerson

Contact Person: Ned Pettit
PO Box 5568
Bismarck, ND 58506

Distance Nearest Occupied Building:

Type of Incident: Pipeline Leak

Description of Released Contaminant: **Crude Oil**

Volume Spilled: **4.00 barrels** **Ag Related:** No

EPA Extremely Hazardous Substance: Unknown **Reported to NRC:** Unknown

Cause of Incident:

While Knife River Corp was excavating a development area, they struck what appears to be an abandoned 4" crude oil pipeline.

Risk Evaluation:

No

# of Fatalities: **# of Injuries:** **Affected Medium:** 03 - soil

Potential Environmental Impacts:

There appears to be crude oil impacts to soil only at this time.

Action Taken or Planned:

Berms have been placed to contain the released oil. A recovery company has been contacted to recover the free product. Crude oil impacted soil will be excavated and be properly disposed in the future.

Wastes Disposal Location: Unknown at this time

Agencies Involved: NDDES, NDIC

Updates

Date: 4/18/2012 ***Status:*** Inspection ***Author:*** Nannenga, Jill

Updated Volume:

Notes:

Spill was contained and contaminated soil excavated. Company dug down and across 10 feet by hand, saw no sign of pipeline. Hit old oil pipeline on 2nd bucket of backhoe use. No H2S present. Taking contaminated soil to NW side of nearby Knife River Corp property and are planning on farming the dirt. They will have a lined pond for the farming of it. Vac truck sucked all the liquid up.

General Environmental Incident Summary

Incident: 3317 **Date/Time Notice:** 5/10/2014 1327 **DEM Incident No:**

Responsible Party: Nabors Completion and Production

Date Incident: 5/9/2014 **Time Incident:** 1730 **Duration:** 2 minutes

County: Williams **Twp:** 155 **Rng:** 101 **Sec:** 13 **Qtr:** NW

Lat: 48.25314 **Long:** -103.61720 **Method:** Navigation quality GPS

Location Description: Nabors Completion and Production
13568 58th Street Northwest
Williston, ND 58801

Submitted By: Matt Chaffee **Affiliation:** Bulk Plant Manager

Address: 13568 58 St NW

City: Williston **State:** ND **Zip:** 58801

Received By:

Contact Person: John Rogers
13568 58 St NW
Williston, ND 58801

Distance Nearest Occupied Building: **Release Contained:** Yes

Type of Incident: Tank Leak

Description of Released Contaminant: EcoFlow NE-W

Volume Spilled: 91.00 gallons **Ag Related:** No

EPA Extremely Hazardous Substance: No **Reported to NRC:** No

Cause of Incident:
Tote slipped off forks of forklift. The tote rolled on its side and the lid on top of the tote came off.

Risk Evaluation:
UN 1993 is a potential fire hazard.

# of Fatalities: 0 **# of Injuries:** 0 **Affected Medium:** 03 - soil

Potential Environmental Impacts:
Soil was impacted but surface was cleaned and scraped per MSDS

Action Taken or Planned:
The tote was righted to prevent further loss of product. Per MSDS, floor-dry was spread on the impacted area. All contaminated product, floor-dry and impacted soil was collected and placed in another tote. It was properly labeled and will be disposed as required.

Wastes Disposal Location: To be determined

Agencies Involved:

Updates

Date: 5/9/2014 ***Status:*** Reviewed - Follow-up Required ***Author:*** Roberts, Kris

Updated Volume:

Notes:

Release of product due to a loading accident. Followup is necessary to confirm cleanup of the area.

Date: 5/23/2014 ***Status:*** Awaiting Documentation ***Author:*** Martin, Russell

Updated Volume:

Notes:

5/23/2014 at 12:13, on location. Met with report submitter. Facility phone system was recently hit by lightning, so telephone contact is unavailable. Personnel supplied cell phone and email information. Incident site is along east side of facility on southeast side of one of the warehouses. Numerous totes were noted outside, stacked around the building. Area of spill was outdoors on facility ground and contained within tire ruts at the time. No staining now visible; area was scraped down to the concrete pad beneath the facility according to personnel. Contaminated material put into open-topped totes and placed with other waste material outside of the building on the northeast side. According to contact, the other waste material is being bid on for disposal, and the new spill waste will be included with it in the bid. Personnel will inform the department where the waste is ultimately sent. Notified personnel that material needs to be monitored and advised that a cover be put on the tote to keep any material from spilling out from weather or another accident, etc. Personnel also mentioned that they were going to put a lined berm along the eastern side of the facility, since the direction of flow could have made the reported spill enter an adjacent field, had the tire ruts that contained the spill not been present.

Date: 9/17/2014 ***Status:*** Awaiting Documentation ***Author:*** Martin, Russell

Updated Volume:

Notes:

9/17/2014 at 11:05, on location. Stopped by and talked with report submitter. Bid is out for the waste to be removed, but the plastic totes containing the impacted material are still on site. Submitter will still call once waste is off location and will provide disposal receipt.

Date: 6/9/2016 ***Status:*** Correspondence ***Author:*** Martin, Russell

Updated Volume:

Notes:

Received disposal manifest for waste material that included the impacted material from the incident.

General Environmental Incident Summary

Incident: 3509 **Date/Time Notice:** 10/20/2014 1535 **DEM Incident No:**

Responsible Party: Deer Valley Trucking

Date Incident: 10/20/2014 **Time Incident:** 1300 **Duration:** 5 minutes

County: Williams **Twp:** 154 **Rng:** 100 **Sec:** 21 **Qtr:**

Lat: 48.14973 **Long:** -103.54870 **Method:** Interpolation from map

Location Description: Hwy 1804, just approximately 1/2 mile east of County road 9.

Submitted By: Grady Holt **Affiliation:** Safety

Address: 310 airport rd suite 700

City: Williston **State:** ND **Zip:** 58801

Received By:

Contact Person: Dave Madsen
310 airport rd suite 700
Williston, ND 58801

Distance Nearest Occupied Building: **Release Contained:** Yes

Type of Incident: Vehicle Accident

Description of Released Contaminant: Crude oil

Volume Spilled: 200.00 barrels **Ag Related:** No

EPA Extremely Hazardous Substance: Unknown **Reported to NRC:** Unknown

Cause of Incident:
Truck wreck causing trailer to snap in half spill contents of trailer onto the ground.

Risk Evaluation:
Soil contamination.

# of Fatalities: 0 **# of Injuries:** 1 **Affected Medium:** 03 - soil

Potential Environmental Impacts:
Soil impacted and will have to be removed.

Action Taken or Planned:
Clean up coordinated with absorbent solutions. Incident under investigation to find out cause of wreck.

Wastes Disposal Location: Cleaned up corridnated through absorbent solutions.

Agencies Involved: Local Law Enforcement, Local Emergency Manager

Updates

Date: 10/20/2014 ***Status:*** Inspection ***Author:*** Roberts, Kris

Updated Volume:

Notes:

10/20/2014 - 18:00 on location. Impact to the eastbound road ditch. Ditch dry at time of accident, and NDDOT established containment dikes shortly after the accident. Absorbent Safety Solutions contracted to perform cleanup operations and was on site at the time of inspection. Excavation of impacted soil to occur on 10/21, with disposal through an incinerator company at Keene, N.D.

Date: 10/23/2014 ***Status:*** Awaiting Documentation ***Author:*** Roberts, Kris

Updated Volume:

Notes:

Phone call this date reveals that excavation of impacted soils is ongoing, with backfilling as the excavation proceeds. Dry conditions contributed to deeper-than-expected oil penetration. Contractor will notify when complete, and also when confirmation analyses are received.

General Environmental Incident Summary

Incident: 3564 **Date/Time Notice:** 11/19/2014 1800 **DEM Incident No:**

Responsible Party: Araco Concrete

Date Incident: 11/19/2014 **Time Incident:** 1735 **Duration:** 11 hours

County: Williams **Twp:** 155 **Rng:** 100 **Sec:** 18 **Qtr:**

Lat: 48.24118 **Long:** -103.58400 **Method:** Interpolation from map

Location Description: Bridge on CR6 and 85B intersection, over the Little Muddy River

Submitted By: Richard Rodgers **Affiliation:** Dir of Safety, Purity Oilfield Service

Address: 13375 NW 62nd ST

City: Williston **State:** ND **Zip:** 58801

Received By:

Contact Person: Arturo Acesta
1229 West Vermijo Ave.
Colorado Springs, CO 80906

Distance Nearest Occupied Building: **Release Contained:** Yes

Type of Incident: Vehicle Accident

Description of Released Contaminant: Diesel Fuel

Volume Spilled: 100.00 gallons **Ag Related:** No

EPA Extremely Hazardous Substance: No **Reported to NRC:** No

Cause of Incident:

Araco Concrete pick-up lost a trailered generator off of their hitch. The generator hit Purity Oilfield services truck P2309, (no fault damaged party that paid for all clean up and containment) and punctured the fuel in the driver side fuel tank and spilled fuel across 2 lane road.

Risk Evaluation:

None

# of Fatalities: 0 **# of Injuries:** 1 **Affected Medium:** 07 - Air, Water, and Soil

Potential Environmental Impacts:

Fuel in the soil under the bridge, Fuel on top of the ice.

Action Taken or Planned:

Safety and dispatch were notified. Shop mechanics Lee Boone and Joel Sistrunk arrived on the scene with absorbent matts and a 55 gallon drum and started collecting the fuel. Mirror Image Environmental Solutions cleaned up the diesel fuel on the road surface, allowing traffic to resume. Garner Environmental Services arrived on location to begin clean up while Richard Rodgers provided traffic control. Garner employees used cleaner to wash the road surface and down through the expansion joint, and recovered the fluids with their swamper truck. Garner removed contaminated soil on the creek bed and applied Clean B; a wood based environmentally safe absorbent. Garner used absorbent matts and squeegees to collect the diesel fuel on the ice, and then applied the Clean B

absorbent. The crew allowed the applicant to settle overnight, and planned on returning the following day to complete the clean-up.

Wastes Disposal Location: Through the proper methods by Garner Environmental Systems.

Agencies Involved: Local Fire Department, Local Law Enforcement, Local Emergency Manager

Updates

Date: 11/20/2014 ***Status:*** Inspection ***Author:*** Roberts, Kris

Updated Volume:

Notes:

On location, 11/20/14 at 07:40. Met with Purity safety and environmental, Williams County Emergency Manager and Garner Environmental. Response and impactd as described.
Discussed remaining restoration: 1) remove loose impacted gravel from road surface, 2) wipe down I-beam under north side of bridge, 3) remove impacted gravel on concrete shelf under the bridge, 4) sweep the Clean B absorbent off the ice and remove, 5) leave the Clean B absorbent, currently on the bank under the bridge, in place as a precaution, and 6) submit a letter report of activities and product descriptions/MDS info.

Date: 11/21/2014 ***Status:*** Reviewed - Follow-up Required ***Author:*** Espe, Brady

Updated Volume:

Notes:

Department personnel have been to the accident site.

Date: 11/25/2014 ***Status:*** Inspection ***Author:*** Washek, Sandi

Updated Volume: 100.00 gallons

Notes:

Arrived on site at 10:30 a.m. Weather was overcast with snow falling. Ground was covered with about 3" of snow. Used shovel to remove snow from the right of way along the east side of the bridge's roadway. Uncovered an approximate 3- X 3-foot patch of diesel-stained material with absorbent on top of it. Took photograph.
In addition, inspected under the bridge on the east side of the river. The soil under the bridge had visible absorbent in the rills on the slope. Absorbent had been removed from the ice but still was visible along the shoreline under the bridge. As directed, the absorbent was left in place to catch any additional drips of diesel coming off the road and traveling down the soil rills.
The gravel and loose material on the concrete shelf, between the bridge's metal I-beams, has not all been removed. Diesel can still be smelled in the area. Snow above the roadway was melting and causing water to drip on to the material on the bridge's concrete shelf.
NDDoH inspector took two soils samples on east side of the river under the bridge. In addition, met with Shane Cook of Garner to review some addition cleanup. Garner will remove the visible loose material on the road shoulder on the east side of the bridge (i.e., the 3'X3' area of impacted soil with absorbent on it). Garner also will remove the rest of the stained material located between the I-beams under the bridge and place an absorbent boom to catch any drips coming off the roadway on to the concrete shelf. A boom will be placed in the rills to absorb any additional fuel leaching out of the soil or coming off the road.

Date: 11/26/2014 ***Status:*** Correspondence ***Author:*** Tintes Schiwal, Emily

Updated Volume:

Notes:

A Purity representative submitted new information to me regarding the contact information for the responsible party. The correct address for Araco Concrete is: ARACO Concrete Contractor, LLC, 7470 Southmoor Drive, Fountain, CO 80817.

General Environmental Incident Summary

Incident: 3648 **Date/Time Notice:** 2/10/2015 01600 **DEM Incident No:**

Responsible Party: baken generator

Date Incident: 2/10/2015 **Time Incident:** 0700 **Duration:** 36 hours

County: Williams **Twp:** 155 **Rng:** 100 **Sec:** 22 **Qtr:** SE SE

Lat: 48.22944 **Long:** -103.51920 **Method:** Calculated

Location Description: Springbrook Gas Plant, 5621 131st ave nw williston nd 58801

Submitted By: jonathan hippe **Affiliation:**

Address: 5621 131st ave nw

City: williston **State:** ND **Zip:** 58801

Received By:

Contact Person:

50th st. west
williston, ND 58801

Distance Nearest Occupied Building: 1.5 Miles **Release Contained:** Yes

Type of Incident: diesel spill

Description of Released Contaminant: diesel

Volume Spilled: 50.00 gallons **Ag Related:** No

EPA Extremely Hazardous Substance: No **Reported to NRC:** Unknown

Cause of Incident:

hose fitting came undone

Risk Evaluation:

0

# of Fatalities: 0 **# of Injuries:** 0 **Affected Medium:** 03 - soil

Potential Environmental Impacts:

none

Action Taken or Planned:

replaced equipment to stop leak.

Wastes Disposal Location: cleanup be handled by clean harbor environmental services

Agencies Involved: NDDES

Updates

Date: 2/11/2015 ***Status:*** Reviewed - Follow-up Required ***Author:*** Stockdill, Scott

Updated Volume:

Notes:

According to the incident summary, this spill impacted areas at a location that doesn't fall under NDIC jurisdiction. Followup is necessary.

Date: 5/12/2015 ***Status:*** Inspection ***Author:*** Martin, Russell

Updated Volume:

Notes:

5/12/2015 at 10:26, on location. Met with facility personnel. Spill occurred in NW corner of facility along outside wall of a building. No remaining staining visible at location.