FINDING OF NO SIGNIFICANT IMPACT

FINDING OF NO SIGNIFICANT IMPACT

Project No.	**PCN**
4-052(109)101	24012

US Highway 52 Four Lane from Approximately 2.3 Miles West of Junction 79th Avenue SE to Voltaire

Ward & McHenry Counties

Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
BISMARCK, NORTH DAKOTA

http://www.dot.nd.gov/

DIRECTOR
Ronald J. Henke, P.E.

PROJECT DEVELOPMENT DIRECTOR
Jon Ketterling, P.E.

September 2026

23 USC § 407
NDDOT Reserves All Objections

FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT

For

US HIGHWAY 52 FOUR LANE

WARD AND McHENRY COUNTIES, NORTH DAKOTA

FEDERAL AID PROJECT NO. 4-052(109)101, PCN 24012

The Federal Highway Administration (FHWA) has determined that the selected alternative will have no significant impact on the environment. The selected alternative has been identified as Alternative B1 for Segment 1, Alternative B2 for Segment 2, Alternative B3 for Segment 3, Alternative C4 for Segment 4, Alternative B5 for Segment 5, and Alternative B6 for Segment 6. Alternatives B1, B2, B3, B5, and B6 consist of a divided four-lane highway with a depressed center median. Alternative C4 consists of a divided four-lane highway with a flush paved center median and includes Optional V-1, shared use path. The selected alternatives include expanding US Highway 52 from a two-lane to a four-lane highway. The project is approximately 22 miles in length.

This Finding of No Significant Impact is based on the June 2026 Environmental Assessment which has been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. FHWA takes full responsibility for the accuracy, scope, and content of the Environmental Assessment.

LINDSEY LUANN HANDEL

Digitally signed by LINDSEY LUANN HANDEL
Date: 2026.09.30 07:29:53 -05'00'

Lindsey Handel, PE
Division Administrator
Federal Highway Administration

Date

Table of Contents

TABLE OF CONTENTS I
TABLE OF TABLES I
TABLE OF FIGURES II
LIST OF APPENDICES II
CHAPTER 1: PURPOSE AND NEED 1
1.1 Proposed Action 1
1.2 Purpose and Need for Action 3
CHAPTER 2: SELECTED ALTERNATIVE 4
2.1 Development of Alternatives 4
2.2 Selected Alternative 6
CHAPTER 3: PERMITS/APPROVALS, ENVIRONMENTAL COMMITMENTS, AND COMPLIANCE 15
3.1 Permits and Approvals 15
3.2 Environmental Commitments 15
CHAPTER 4: SUMMARY OF COMMENTS AND COORDINATION 21
4.1 Public Hearing 21
CHAPTER 5: ERRATA TO THE ENVIRONMENTAL ASSESSMENT 22

Table of Tables

Table 1, Segment 1 Impact Summary 8
Table 2, Segment 2 Impact Summary 9
Table 3, Segment 3 Impact Summary 10
Table 4, Segment 4 Impact Summary 11
Table 5, Segment 5 Impact Summary 12
Table 6, Segment 6 Impact Summary 13
Table 7, Anticipated Permits 15
Table 8, Summary of Environmental Commitments 16

Table of Figures

Figure 1, Study Area 2
Figure 2, Project Segments 5
Figure 3, Depressed Median Typical Section 6
Figure 4, Segment 4 (Velva) Typical Section 6

List of Appendices

Appendix A June 2026 Environmental Assessment
Appendix B Notifications
Appendix C Handouts
Appendix D Exhibits Presented
Appendix E Presentation Slides
Appendix F Transcripts
Appendix G Roster
Appendix H Comments
Appendix I Title VI Public Participation Surveys

Chapter 1: Purpose and Need

1.1 Proposed Action

The proposed project is located along US Highway 52 between Minot and Voltaire. Four communities, including Logan, Sawyer, Velva, and Voltaire, are located along the corridor. This segment of US Highway 52 is currently a two-lane interregional highway connecting various communities in the region, serving local and regional commuters, providing opportunities for freight transportation, and facilitating the movement of agricultural products and equipment. Interregional travel has increased the amount of traffic traveling along this route. This increase, especially the high percentage of truck traffic, has raised concerns from the public about safety along the corridor.

The proposed action is to expand US Highway 52 from a two-lane to a four-lane highway, to address the purpose and need specified below. The expansion would begin at Reference Point (RP) 101.2 near Minot (approximately 2.3 miles west of Junction 79th Ave SE) and would terminate at RP 123.0 just east of Voltaire. The study area for this project begins at RP 100.4 and terminates at RP 123.3. Please refer to ***Figure 1, Study Area.***

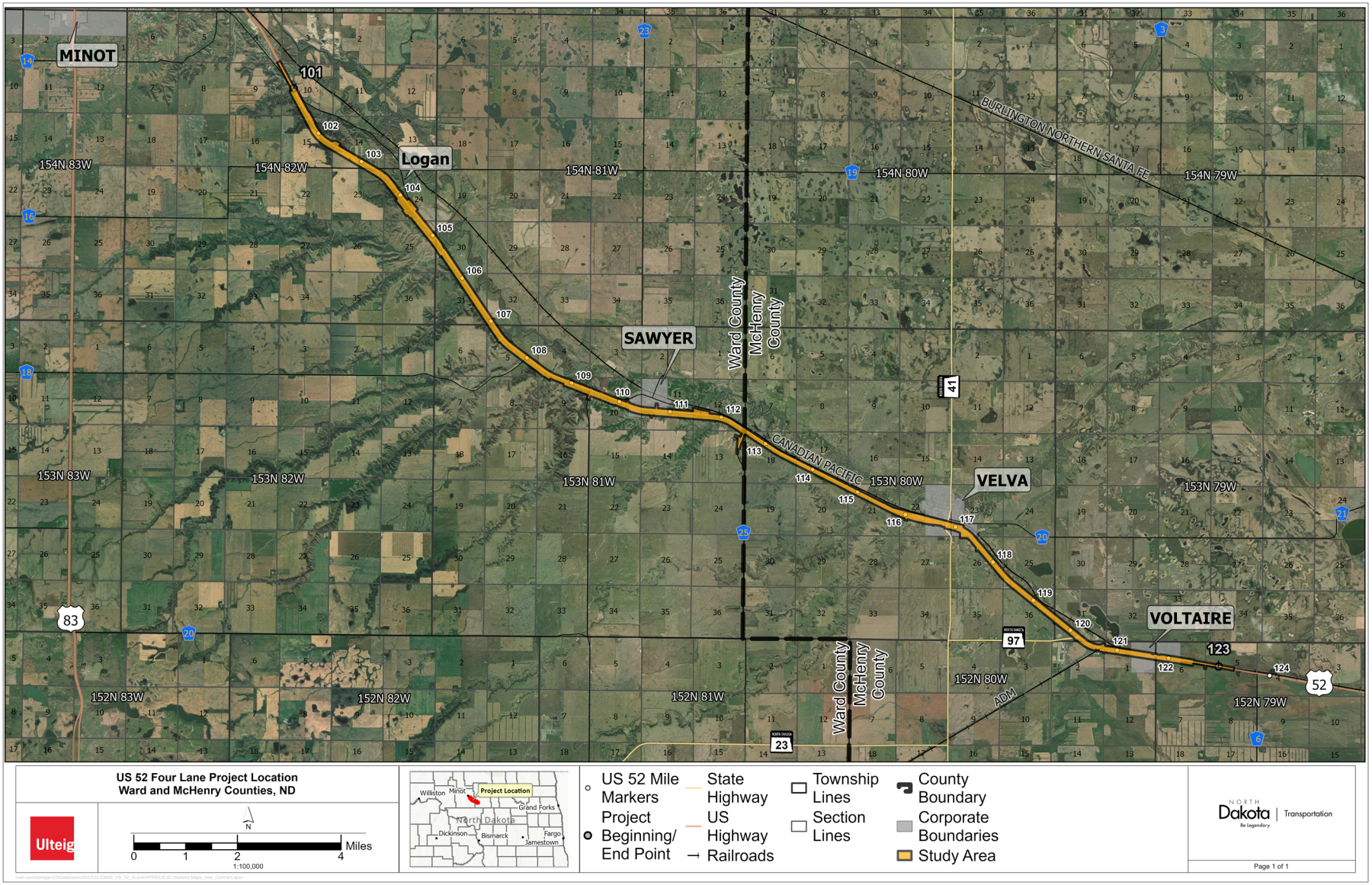


Figure 1, Study Area

1.2 Purpose and Need for Action

The purpose of the proposed action is to expand approximately 22 miles of US Highway 52 between Minot and Voltaire from a two-lane highway to a four-lane divided highway in order to address perceived safety concerns, accommodate existing and future traffic demands, fulfill legislative obligations, and support the social and economic needs of the region. In addition, the project would improve the reliability of the transportation corridor by raising roadway grades in areas that were overtopped during the 2011 flood event.

Perceived Safety Issues

US Highway 52 is a major regional transportation corridor that carries a high percentage of truck traffic, with trucks comprising approximately 21 to 32 percent of total traffic volumes along the corridor. The combination of heavy truck traffic, limited passing opportunities, and existing roadway features such as cable guardrail, limited shoulders and steep inslopes has resulted in public concerns regarding safety.

Expanding the corridor to four lanes would address these concerns by increasing passing opportunities, accommodating traffic more effectively, separating opposing traffic streams, and upgrading the corridor to current roadway design standards. These improvements support NDDOT's Vision Zero principles by reducing driver frustration, discouraging risky passing behavior, and mitigating the types of crashes most commonly associated with severe outcomes.

Existing and Future Traffic Needs

US Highway 52 serves as an important interregional corridor that accommodates local travel, freight movement, agricultural transportation, and regional connectivity. Traffic volumes are highest near Minot and are projected to increase by approximately 35 to 45 percent between 2023 and 2047. While current and future operations are generally forecast to function at acceptable levels, continued growth in traffic volumes, particularly truck traffic, will place increasing demands on the existing two-lane facility.

The proposed four-lane expansion would provide additional roadway capacity, improve operational efficiency, and better accommodate future traffic growth while maintaining reliable travel conditions throughout the corridor.

Legislature Funding Obligations

In response to longstanding public interest in improving the corridor, the North Dakota Legislature directed funding toward evaluating the expansion of US Highway 52 to a four-lane facility. As a result, NDDOT initiated the planning and environmental review process to study four-lane alternatives and identify a feasible improvement strategy for the corridor.

The proposed action supports fulfillment of this legislative direction by evaluating and advancing improvements that address the identified transportation needs along the corridor.

Social and Economic Demand

US Highway 52 is a critical transportation route for communities throughout north-central North Dakota. The corridor supports the movement of agricultural commodities, commercial goods, regional freight traffic, and access to employment, services, and recreational opportunities. Reliable transportation infrastructure is essential to supporting existing economic activity and future growth in the region.

Expanding the corridor to four lanes would improve regional mobility, enhance connectivity between communities, strengthen freight movement, and support continued economic development throughout the corridor and surrounding area.

In addition to the capacity and safety improvements, portions of the corridor were overtopped during the 2011 flood event, resulting in disruptions to travel. The proposed project includes raising the roadway

profile in vulnerable areas to reduce the risk of future inundation and improve the long-term reliability of the transportation system.

Improving corridor resiliency would help ensure more dependable access for residents, businesses, freight carriers, emergency responders, and regional travelers during future high-water events.

Chapter 2: Selected Alternative

2.1 Development of Alternatives

Due to the legislative mandate to study a four-lane highway expansion, the alternatives development process focused specifically on four-lane scenarios to meet the purpose and need identified in Chapter 1 in the June 2026 EA. Additionally, because the existing highway and associated ROW are owned by NDDOT, the evaluation centered on expanding the current corridor rather than focusing on new or off-alignment routes. Off-alignment alternatives were not pursued for detailed analysis, as they would result in significantly greater impacts to both the human and natural environments, as well as substantially higher costs. These factors helped narrow the range and location of feasible alternatives.

The initial alternatives development process resulted in the development of two primary build alternatives, a divided four-lane highway with a depressed center median and a divided four-lane highway with a flush paved center median. As these two alternatives were applied to the entire corridor, it became apparent that a hybrid combination of these two alternatives may be best suited to address the needs and various constraints along the project corridor. Therefore, the overall corridor was divided into six segments analyzing distinct alternatives for each segment. Please refer to ***Figure 2, Project Segments***. In addition to the alternatives described, the no build alternative was also under consideration for all segments.

The project extends from RP 101.2 near Minot to RP 123.0 east of Voltaire. At the west end, the corridor would tie into the existing four-lane section of US Highway 52, which begins south of the US Highway 2 interchange. At the east end near Voltaire, the project would connect to an existing eastbound passing lane.

A ***Preliminary Engineering Report*** (appended by reference to the June 2026 EA) was developed during the preliminary engineering study phase to document the activities completed, decisions made, and the preliminary alternatives identified for further evaluation in this document. The report focused on developing conceptual alternatives and identifying key constraints along the corridor.

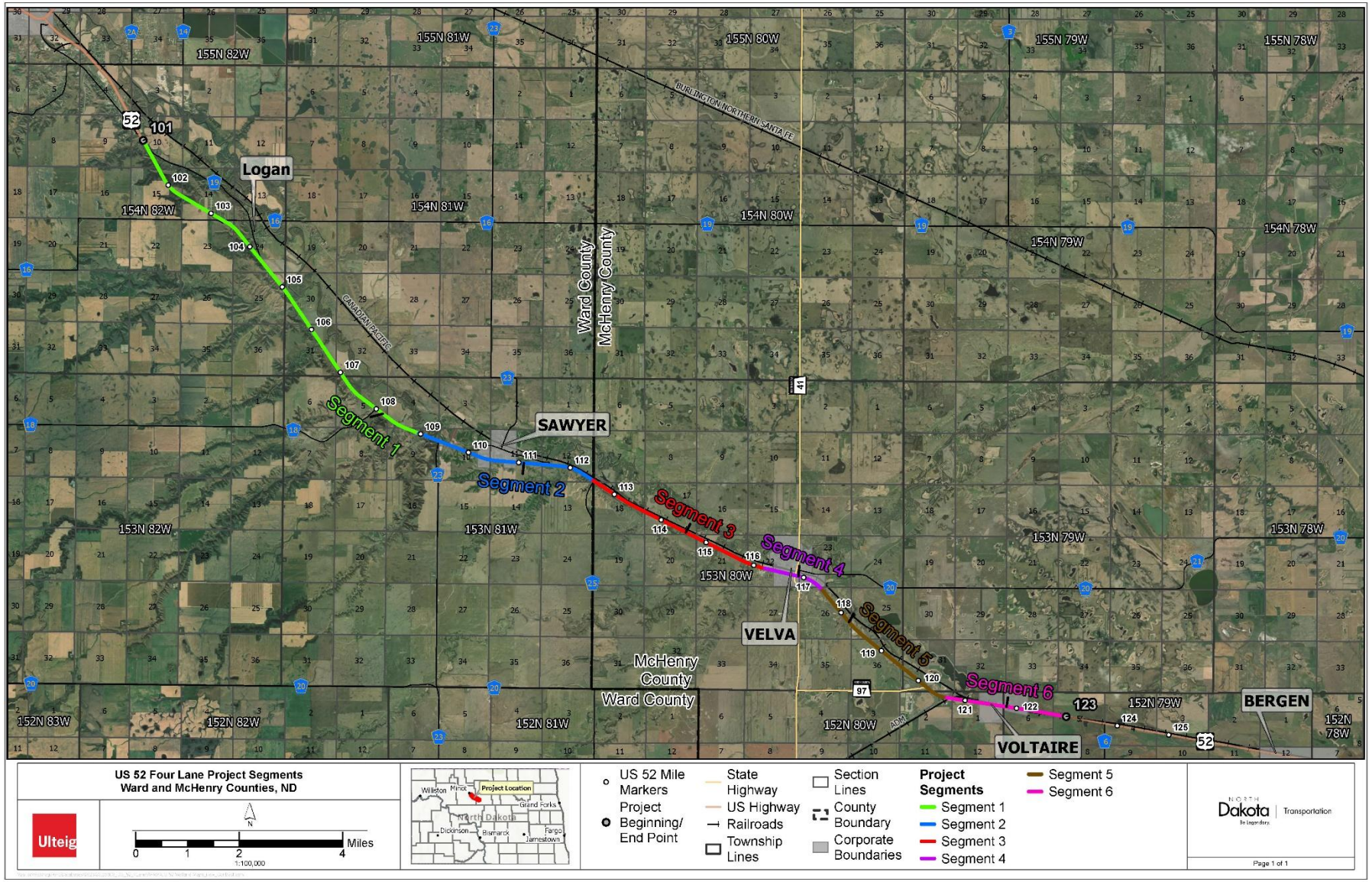


Figure 2, Project Segments

2.2 Selected Alternative

As documented in the EA, the NDDOT identified a preferred alternative for each segment as follows:

- Segment 1 – Alternative B1: Divided Four-Lane Highway with a Depressed Center Median
- Segment 2 – Alternative B2: Divided Four-Lane Highway with a Depressed Center Median
- Segment 3 – Alternative B3: Divided Four-Lane Highway with a Depressed Center Median
- Segment 4 – Alternative C4: Divided Four-Lane Highway with a Flush Paved Center Median with Option V-1: Shared Use Path
- Segment 5 – Alternative B5: Divided Four-Lane Highway with a Depressed Center Median
- Segment 6 – Alternative B6: Divided Four-Lane Highway with a Depressed Center Median

Following completion of the public review period and consideration of agency and public comments, FHWA has selected the preferred alternative for implementation.

This selected alternative would expand US Highway 52 to four lanes, implementing a depressed center median design for Segments 1-3, 5 and 6. Segment 4 would consist of a four-lane roadway with a flush paved center median, curb and gutter, and the installation of a 10-foot-wide shared use path.

Figure 3, Depressed Median Typical Section

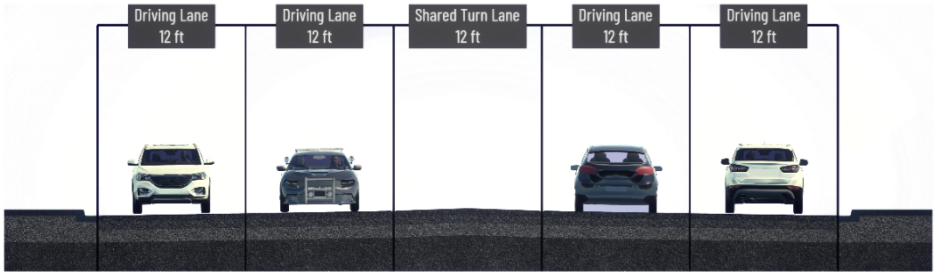


Figure 4, Segment 4 (Velva) Typical Section

The selected alternative best satisfies the project's purpose and need while balancing transportation, environmental, community, and economic considerations. For most of the corridor, the depressed median alternative was selected because it provides greater separation between opposing traffic lanes, improves safety, minimizes construction-related traffic disruptions, and preserves flexibility for future project development. Within Velva, a depressed median was determined to be infeasible; therefore, the flush median design was selected because it better accommodates local roadway constraints while maintaining access to adjacent properties and businesses. The inclusion of the shared use path through Velva also improves pedestrian and bicycle connectivity.

Overall, the preferred alternative would address the identified safety concerns, accommodate projected traffic growth, improve system reliability, and support the long-term social and economic needs of the region while limiting impacts to the extent practicable.

Refer to ***Tables 1 - 6*** for the environmental impacts of the selected alternatives list by impact category per segment.

Table 1, Segment 1 Impact Summary

Resource Area	Alternative B1 - Depressed Median
Geology	➢ Permanent earthwork impacting 308.18 acres. ➢ Temporary earthwork impacting 42.99 acres. ➢ Potential to impact paleontological resources during construction.
Soils	➢ Net addition of 34.18 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
Land Use	➢ Permanent ROW acquisition of 65.0 acres converted into transportation corridor. ➢ Temporary easement acquisition of 20.5 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.
Farmland	➢ Permanent conversion of 6.77 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.
Vegetation	➢ Permanent conversion of 34.18 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 351.17 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.
Water Resources	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.
Wetlands and Other Waters	➢ Permanent impacts on 1.048 acres of wetlands. ➢ Temporary impacts on 0.505 acres of wetlands. ➢ Permanent impacts on 1.232 acres of other waters. ➢ Temporary impacts on 0.445 acres of other waters.
Water Quality	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.
Floodplain	➢ Work in Special Flood Hazard Areas.
Wildlife and Fisheries	➢ Direct conversion of 210.88 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.
Threatened and Endangered Species	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.
Social and Economic	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ No removal of buildings ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.
Cultural Resources	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.
Section 4(f) Properties	➢ No impact to recreational Section 4(f) properties. ➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied.
Infrastructure	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.
Air Quality	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
Noise	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ No impacted receptors or noise walls considered in Segment 1. ➢ Temporary noise impacts during construction.
Visual	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.
Hazardous Waste	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.
Utilities	➢ Removal/relocation of nine utility poles. ➢ Impacts to 132,120 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.

Resource Area	Alternative B1 - Depressed Median
Irreversible and Irretrievable Commitments of Resources	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.

Table 2, Segment 2 Impact Summary

Resource Area	Alternative B2 - Depressed Median
Geology	➢ Permanent earthwork impacting 146.18 acres. ➢ Temporary earthwork impacting 20.62 acres. ➢ Potential to impact paleontological resources during construction.
Soils	➢ Net addition of 21.17 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
Land Use	➢ Permanent ROW acquisition of 26.4 acres converted into transportation corridor. ➢ Temporary easement acquisition of 7.8 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.
Farmland	➢ Permanent conversion of 3.75 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.
Vegetation	➢ Permanent conversion of 21.17 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 166.80 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.
Water Resources	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.
Wetlands and Other Waters	➢ Permanent impacts on 1.074 acres of wetlands. ➢ Temporary impacts on 0.313 acres of wetlands. ➢ Permanent impacts on 0.053 acres of other waters. ➢ Temporary impacts on 0.011 acres of other waters.
Water Quality	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.
Floodplain	➢ Work in Special Flood Hazard Areas. ➢ Impacts to Sawyer flood control structure.
Wildlife and Fisheries	➢ Direct conversion of 137.12 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.
Threatened and Endangered Species	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.
Social and Economic	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ Removal of one shed/outbuilding. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.
Cultural Resources	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.
Section 4(f) Properties	➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied. ➢ Temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied. ➢ Temporary impact on Sawyer Baseball Diamond with temporary occupancy Section 4(f) exception applied.
Infrastructure	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.
Air Quality	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
Noise	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ No impacted receptors or noise walls considered in Segment 2. ➢ Temporary noise impacts during construction.

Resource Area	Alternative B2 - Depressed Median
Visual	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.
Hazardous Waste	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.
Utilities	➢ Removal/relocation of 36 utility poles. ➢ Impacts to 116,836 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.
Irreversible and Irretrievable Commitments of Resources	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.

Table 3, Segment 3 Impact Summary

Resource Area	Alternative B3 - Depressed Median
Geology	➢ Permanent earthwork impacting 121.62 acres. ➢ Temporary earthwork impacting 13.58 acres. ➢ Potential to impact paleontological resources during construction.
Soils	➢ Net addition of 14.10 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
Land Use	➢ Permanent ROW acquisition of 49.1 acres converted into transportation corridor. ➢ Temporary easement acquisition of 6.0 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.
Farmland	➢ Permanent conversion of 33.53 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.
Vegetation	➢ Permanent conversion of 14.10 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 135.20 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.
Water Resources	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.
Wetlands and Other Waters	➢ Permanent impacts on 4.262 acres of wetlands. ➢ Temporary impacts on 0.681 acres of wetlands. ➢ Permanent impacts on 0.248 acres of other waters. ➢ Temporary impacts on 0.041 acres of other waters.
Water Quality	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.
Floodplain	➢ Work in Special Flood Hazard Areas. ➢ Impact to Velva flood protection levee. ➢ Grade raise for flood protection. ➢ Increased flood resiliency due to grade raise.
Wildlife and Fisheries	➢ Direct conversion of 55.28 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.
Threatened and Endangered Species	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.
Social and Economic	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ Removal of one shed/outbuilding. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.
Cultural Resources	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.
Section 4(f) Properties	➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied. ➢ Temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied.

Resource Area	Alternative B3 - Depressed Median
Infrastructure	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.
Air Quality	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
Noise	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ Impacts to receptors with noise walls considered in Segment 3. Abatement was determined not feasible. ➢ Temporary noise impacts during construction.
Visual	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.
Hazardous Waste	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.
Utilities	➢ Removal/relocation of 116 utility poles. ➢ Impacts to 92,616 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.
Irreversible and Irretrievable Commitments of Resources	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.

Table 4, Segment 4 Impact Summary

Resource Area	Alternative C4 - Flush Median with Option V-1 - Shared Use Path
Geology	➢ Permanent earthwork impacting 26.74 acres. ➢ Temporary earthwork impacting 4.49 acres. ➢ Slightly higher potential to impact paleontological resources during construction than Alternative C without Option V-1.
Soils	➢ Net addition of 4.38 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
Land Use	➢ Permanent ROW acquisition of 2.3 acres converted into transportation corridor. ➢ Temporary easement acquisition of 2.0 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.
Farmland	➢ Permanent conversion of 0.71 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.
Vegetation	➢ Permanent conversion of 4.38 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 31.23 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.
Water Resources	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.
Wetlands and Other Waters	➢ Permanent impacts on 1.020 acres of wetlands. ➢ Temporary impacts on 0.244 acres of wetlands. ➢ Permanent impacts on 0.006 acres of other waters. ➢ Temporary impacts on 0.003 acres of other waters.
Water Quality	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.
Floodplain	➢ Impact to Velva flood protection levee.
Wildlife and Fisheries	➢ Direct conversion of 4.22 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.
Threatened and Endangered Species	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.

Resource Area	Alternative C4 - Flush Median with Option V-1 - Shared Use Path
Social and Economic	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands. ➢ Addition of pedestrian/bicycle facility. ➢ No removal of buildings. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.
Cultural Resources	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.
Section 4(f) Properties	➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied. ➢ Temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied.
Infrastructure	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.
Air Quality	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
Noise	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Impacts to receptors with noise wall considered in Segment 4. Abatement was determined not feasible. ➢ Temporary noise impacts during construction.
Visual	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected .
Hazardous Waste	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.
Utilities	➢ Removal/relocation of three utility poles. ➢ Impacts to 10,241 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.
Irreversible and Irretrievable Commitments of Resources	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.

Table 5, Segment 5 Impact Summary

Resource Area	Alternative B5 - Depressed Median
Geology	➢ Permanent earthwork impacting 107.99 acres. ➢ Temporary earthwork impacting 12.36 acres. ➢ Potential to impact paleontological resources during construction.
Soils	➢ Net addition of 15.43 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
Land Use	➢ Permanent ROW acquisition of 31.0 acres converted into transportation corridor. ➢ Temporary easement acquisition of 4.8 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.
Farmland	➢ Permanent conversion of 3.19 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.
Vegetation	➢ Permanent conversion of 16.93 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 120.35 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.
Water Resources	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.
Wetlands and Other Waters	➢ Permanent impacts on 4.619 acres of wetlands. ➢ Temporary impacts on 1.157 acres of wetlands. ➢ Permanent impacts on 0.442 acres of other waters. ➢ Temporary impacts on 0.052 acres of other waters. ➢ Permanent and temporary impacts to USFWS wetland conservation easements.
Water Quality	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.
Floodplain	➢ Work in Special Flood Hazard Areas.

Resource Area	Alternative B5 - Depressed Median
Wildlife and Fisheries	➢ Direct conversion of 153.09 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.
Threatened and Endangered Species	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.
Social and Economic	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ No removal of buildings. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.
Cultural Resources	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.
Section 4(f) Properties	➢ No impact to recreational Section 4(f) properties. ➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied.
Infrastructure	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.
Air Quality	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
Noise	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ No impacted receptors or noise walls considered in Segment 5. ➢ Temporary noise impacts during construction.
Visual	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.
Hazardous Waste	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.
Utilities	➢ Removal/relocation of 14 utility poles. ➢ Impacts to 76,214 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.
Irreversible and Irretrievable Commitments of Resources	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.

Table 6, Segment 6 Impact Summary

Resource Area	Alternative B6 - Depressed Median
Geology	➢ Permanent earthwork impacting 41.93 acres. ➢ Temporary earthwork impacting 8.07 acres. ➢ Potential to impact paleontological resources during construction.
Soils	➢ Net addition of 6.12 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
Land Use	➢ Permanent ROW acquisition of 8.3 acres converted into transportation corridor. ➢ Temporary easement acquisition of 2.4 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.
Farmland	➢ Permanent conversion of 0.26 acres of farmland of statewide importance. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.
Vegetation	➢ Permanent conversion of 8.93 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 50.00 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.
Water Resources	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.

Resource Area	Alternative B6 - Depressed Median
Wetlands and Other Waters	➢ Permanent impacts on 2.030 acres of wetlands. ➢ Temporary impacts on 0.489 acres of wetlands. ➢ No permanent impacts on other waters. ➢ No temporary impacts on other waters. ➢ Permanent and temporary impacts to USFWS wetland conservation easements.
Water Quality	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.
Floodplain	➢ No impacts.
Wildlife and Fisheries	➢ Direct conversion of 153.09 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.
Threatened and Endangered Species	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.
Social and Economic	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ No removal of buildings. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.
Cultural Resources	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.
Section 4(f) Properties	➢ No impact to recreational Section 4(f) properties. ➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied.
Infrastructure	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.
Air Quality	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
Noise	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ Impacts to receptors with noise walls considered in Segment 6. Abatement was determined not feasible. ➢ Temporary noise impacts during construction.
Visual	➢ Slightly greater temporary and permanent impact on visual resources and viewshed than Alternative C, but generally compatible with existing visual character and no impact on visual quality expected.
Hazardous Waste	➢ No known hazardous materials sites requiring active mitigation. ➢ Slightly greater potential to encounter hazardous materials during construction than Alternative C. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.
Utilities	➢ Removal/relocation of 17 utility poles. ➢ Impacts to 21,417 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.
Irreversible and Irretrievable Commitments of Resources	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.

Chapter 3: Permits/Approvals, Environmental Commitments, and Compliance

3.1 Permits and Approvals

As shown in ***Table 7, Anticipated Permits***, the following permits and approvals would be acquired prior to construction of the proposed action:

Table 7, Anticipated Permits

Permitting/Approval Entity	Permit/Approval
USACE	Section 408 approval
	Section 404 permit with Section 404(b)(1) analysis, if necessary
USFWS	Special Use Permit and easement exchange
NDDEQ	NPDES Permit
	Section 401 water quality certification, if necessary
NDDWR	Construction permit with EAP, if necessary
Ward County	Floodplain permit
City of Velva	Floodplain permit
McHenry County	Floodplain permit
City of Sawyer	Floodplain permit

3.2 Environmental Commitments

In addition to acquiring necessary permits and approvals, the proposed action would include environmental commitments to minimize, avoid, or compensate for impacts. Applicable environmental commitments would be included in the plans and specifications in addition to implementation of NDDOT's Standard Specifications for Road and Bridge Construction. A review of the specific limits, impacts, permitting, applicable commitments, and Special Provisions would occur during final design for segments that receive funding to move forward. Please refer to ***Table 8, Summary of Environmental Commitments***.

Table 8, Summary of Environmental Commitments

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
1	Paleontological monitoring would occur during construction in high potential areas (i.e., PFYC Class 4 and 5) where cuts are greater than 10 feet deep. The areas to be monitored would be reassessed during final design using the most current PFYC dataset available from NDGS.	1-6	NDDOT and Contractor / Qualified Paleontologist, if necessary	Prior to construction and throughout construction, as necessary	Geology
2	An SPCC plan would be developed and implemented to minimize the likelihood of a spill and to guide containment and cleanup in the event of a spill.	1-6	Contractor	Prior to construction and throughout construction	Soils, Water Resources, Water Quality, Wildlife and Fisheries, Threatened and Endangered Species, Hazardous Waste
3	As part of the NPDES permit, the Contractor would be required to develop a SWPPP. To minimize potential impacts, BMPs would be implemented in accordance with the SWPPP. Various techniques may be used such as dust control; mulching, matting, and netting; installing filter fabric fencing; utilizing sediment traps and ponds; creating surface water interceptor swales and ditches; limiting the quantity of stockpiled materials; and ensuring stockpiles are stored away from surface water sources.	1-6	Contractor	Prior to construction and throughout construction	Soils, Water Resources, Water Quality, Air Quality, Wildlife and Fisheries, Threatened and Endangered Species, Social and Economic, Visual
4	Private landowners would be compensated for property acquired in accordance with the Uniform Act.	1-6	NDDOT	Prior to construction	Land Use
5	Access would be maintained and temporary mailboxes may be used during construction activities.	1-6	Contractor	Throughout construction	Land Use, Social and Economic, Infrastructure
6	Disturbed areas would be promptly revegetated with a grass seed mixture and/or cover crop in accordance with the NDDOT Standards and Specifications for Road and Bridge Construction and NDPES permit requirements, with final stabilization occurring when a uniform perennial vegetative cover with a density of 70 percent of the native cover for unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization. Reseeding in some areas would be done in coordination with USFWS for Dakota skipper habitat mitigation purposes.	1-6	Contractor	Throughout construction, upon completion of construction (until stabilized)	Vegetation, Threatened and Endangered Species
7	Permanent impacts to native woody vegetation (i.e., trees and shrubs in natural settings) would be added to the NDDOT Tree Mitigation Ledger. Impacts to urban trees would be mitigated in coordination with the local public agency. Prior to impacts, woody vegetation to be removed in these areas would be recorded by a biologist and reviewed by NDDOT and added to the NDDOT Tree Mitigation Ledger.	1-6	Contractor / Qualified Biologist / NDDOT	Prior to construction and upon completion of construction	Vegetation, Wildlife and Fisheries, Threatened and Endangered Species

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
8	During construction, the contractor would be responsible for implementing noxious weed control measures. Following construction, NDDOT would assume responsibility for ongoing noxious weed control within its ROW.	1-6	Contractor / NDDOT	During construction, upon completion of construction	Vegetation, Wildlife and Fisheries, Threatened and Endangered Species
9	If an observation well is encountered during project activities and must be removed, the Water Appropriation Division of NDDWR would be contacted.	1-6	Contractor / Project Engineer	Prior to construction and throughout construction	Water Resources
10	Permanent impacts greater than 0.10 acres to USACE jurisdictional wetlands and any permanent impacts to natural wetlands pursuant to EO 11990 would be mitigated. Compensatory mitigation for USACE jurisdictional wetlands would occur via use of credits from a USACE approved wetland mitigation bank, ditch shifts, and/or offset by design. Mitigation for permanent impacts on all other natural wetlands would occur via use of credits from a FHWA-approved wetland mitigation bank, ditch shifts, and/or offset by design. Permanent impacts greater than 0.030 acres of Other Waters would be mitigated by utilizing credits from a wetland mitigation bank at a 2:1 ratio. The wetland mitigation plan would be incorporated into the plans for this project. After completion of the mitigation areas, the Engineer will complete the Onsite Mitigation Certification Form SFN 61042. Any sedimentation occurring within the mitigation area will be removed.	1-6	NDDOT / Contractor / Project Engineer	Prior to construction and upon completion of construction	Wetlands and Other Waters, Threatened and Endangered Species, Water Resources, Water Quality
11	Temporarily impacted wetlands or other waters would be restored to preconstruction contours and reseeded following construction.	1-6	Contractor	Prior to construction and upon completion of construction	Wetlands and Other Waters, Water Quality
12	Equipment that was last used outside of North Dakota or within a Class I infested waterbody (identified on the NDGF website) requires an inspection by NDGF. Notify the NDGF at least 10 business days prior to pumps, watercraft, or any equipment entering a public water to allow the NDGF sufficient time to inspect any and all such equipment for ANS. Contact the NDGF ANS Coordinator for equipment inspections. Supply one of the following to the engineer as proof of compliance prior to work taking place in the water: (1) the NDGF inspection report, (2) documented NDGF correspondence (email or signed letter).	1-6	Contractor	Throughout construction	Wetlands and Other Waters, Wildlife and Fisheries
13	Coordination with the Souris River Joint Board and USACE, would occur during final design to ensure final design does not adversely impact the Velva flood protection levee or the Sawyer flood control structure.	2, 3, 4	NDDOT / Project Engineer / Contractor	Prior to construction and throughout construction	Floodplains
14	If any new bald or golden eagle nests are identified within 0.5 miles of the construction areas during construction activities, construction would immediately stop within 0.5 miles of the nest(s). NDDOT would coordinate with USFWS prior to the continuation of construction activities to determine any measures necessary to minimize harm to bald and/or golden eagles.	1-6	Contractor	Throughout construction	Wildlife and Fisheries

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
15	If construction activities are to occur during the migratory bird nesting season (February 1 – July 15), work areas would be mowed and/or grubbed prior to the start of the nesting season if possible. If mowing and/or grubbing is not completed prior to the nesting season, a qualified biologist would conduct preconstruction nest surveys within the work areas. If active nests are identified, NDDOT would coordinate with USFWS prior to commencement of work to determine any measures necessary to minimize harm. In addition, a modified Special Provision for the MBTA would be included with the Construction Specifications, with stipulations pertaining to nests during construction activities involving bridges, box culverts, and structural plate culverts.	1-6	Contractor / Qualified Biologist / NDDOT	Prior to construction and throughout construction	Wildlife and Fisheries
16	To reduce the risk of flight collisions during the spring and fall whooping crane migration periods, NDDOT would request that utility companies install bird diverters at a 1:1 ratio (per linear foot) on any raised, lowered, and/or moved overhead utilities lines that occur within 1 mile of whooping crane stopover habitat. Each utility company would 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 areas.	1-6	Utility Company	Prior to construction and throughout construction	Threatened and Endangered Species, Wildlife and Fisheries
17	Ensure all project operators, employees, and contractors are aware of pertinent environmental commitments and conservation measures.	1-6	NDDOT / Contractor / Project Engineer	Prior to construction and throughout construction	Threatened and Endangered Species
18	Preemptively lay out spoil pile locations, fueling, and/or staging areas to avoid, to the maximum extent practicable, the destruction of occupied, assumed occupied, or potential Dakota skipper habitat identified in the project area.	1, 2, 5	Contractor / Project Engineer	Prior to construction and throughout construction	Threatened and Endangered Species
19	Conduct tree removal activities outside of the active season for the northern long-eared bat (April 15 – October 31). In the event any tree removal needs to occur during the active season, tree removal outside of pup season (June 1 – August 15) may be allowable in coordination with USFWS.	1-6	Contractor / Qualified Biologist / NDDOT	Prior to construction	Threatened and Endangered Species
20	Ensure tree removal is limited to that specified in the project's final plans. Install bright colored flagging/fencing prior to any tree removal to ensure contractors stay within clearing limits.	1-6	Contractor	Prior to construction	Threatened and Endangered Species
21	In the event that northern long-eared bat roosts or foraging habitat are identified in the future, do not cut down documented roosts, trees within 0.25 miles of roosts, or document foraging habitat during any time of year. If such trees or habitat would be impacted, further ESA consultation would be required.	1-6	NDDOT / Contractor / Project Engineer	Prior to construction	Threatened and Endangered Species
22	If temporary lighting is utilized during construction, direct it away from trees during the active season for the northern long-eared bat (April 15 – October 31).	1-6	Contractor	Throughout construction	Threatened and Endangered Species
23	Conduct a bat structure assessment prior to structure or culvert work (within 2 years prior to commencement). If bats are not observed, no further action is required. If bats are observed, further ESA consultation would be required.	1-6	NDDOT / Contractor / Project Engineer / Qualified Biologist	Prior to construction	Threatened and Endangered Species
24	For permanent lighting that is replaced, use downward-facing, full cut-off lens lights that are designed to be approximately the same intensity as previous lighting.	1-6	NDDOT / Contractor	Throughout construction	Threatened and Endangered Species

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
25	Notify the project engineer immediately in the event any threatened or endangered species is identified within 1 mile of the proposed action. 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. Do 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).	1-6	NDDOT / Contractor / Project Engineer	Throughout construction	Threatened and Endangered Species
26	Notify USFWS within three working days upon locating any dead, injured, or sick endangered or threatened species specimen (see Biological Opinion for details).	1-6	Contractor / Project Engineer / NDDOT	Throughout construction	Threatened and Endangered Species
27	Contract a USFWS-permitted Dakota skipper surveyor to conduct occupancy surveys, using the most recent USFWS protocol, for one year of pre-construction Dakota skipper occupancy surveys of all suitable habitat patches previously identified. If the pre-construction occupancy surveys indicate absence of the Dakota skipper, no further mitigation would occur. If pre-construction occupancy surveys indicate occupancy of the Dakota skipper, an onsite/offsite Dakota skipper conservation bank would be established in accordance with the USFWS North Dakota Field Office Guidance for Dakota Skipper Conservation Site Establishment document. The exact mitigation ratio would be determined at a later date in coordination with USFWS and NDDOT. In addition, at least one year of post-construction occupancy survey(s) would occur after vegetation establishment in disturbed areas and within five years following construction. Provide USFWS with an annual report following any year Dakota skipper occupancy surveys are completed that details the survey findings (see Biological Opinion for details).	1, 2, 5	NDDOT / Qualified Biologist	Prior to construction and upon completion of construction	Threatened and Endangered Species
28	Fence and avoid previously identified suitable Dakota skipper habitat that is not planned to be directly impacted during construction activities. Ensure all project personnel understand where clearly marked delineated suitable habitat is located prior to the start of soil/vegetation disturbance activities (see Biological Opinion for details).	1, 2, 5	Contractor	Prior to construction and throughout construction	Threatened and Endangered Species
29	Reseed disturbed areas within 250 meters of previously identified suitable Dakota skipper habitat with a seed mix high in native grasses and forbs.	1, 2, 5	Contractor	Throughout construction and upon completion of construction	Threatened and Endangered Species
30	Design and implement a monitoring plan to ensure that the anticipated amount or extent of Dakota skipper incidental take is not exceeded. Provide an annual report and shapefile to USFWS showing the actual disturbance of the proposed project, in relation to those activities that are expected to result in incidental take of the Dakota skipper. Ensure all conservation measures addressed in the description of the proposed action are formally adopted and implemented (see Biological Opinion for details).	1-6	NDDOT	Prior to construction and throughout construction	Threatened and Endangered Species

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
31	Offset impacts to suitable Dakota skipper habitat by either purchasing credits from a USFWS approved Dakota skipper bank, establishing offsite or onsite mitigation site in accordance with the most recent USFWS guidance for Dakota skipper conservation bank establishment, or an alternative plan that is approved by the USFWS (see Biological Opinion for details).	1, 2, 5	NDDOT	Upon completion of construction	Threatened and Endangered Species
32	Removals of buildings or structures would be coordinated with affected landowners during ROW negotiations.	2, 3	Project Engineer / NDDOT	Prior to construction	Social and Economic
33	Frequent and open two-way communication between the USAF, the contractor, NDDOT, and the project engineer would occur to minimize disruption to US Highway 52 as a mission essential route for the USAF 91st Missile Wing.	1-6	Project Engineer / NDDOT / USAF 91st Missile Wing	Throughout construction	Social and Economic
34	Develop an inadvertent discovery plan for the project prior to construction. The plan would outline requirements and procedures in the event that cultural resources are discovered.	1-6	NDDOT / Contractor	Prior to construction and throughout construction	Cultural Resources
35	Five cultural resource sites would be monitored by an archaeologist during construction: one archaeological resource that is eligible for listing on the NRHP that would have placement of fill occur on the site, two other archaeological sites that are not eligible for listing on the NRHP but may have been part of a larger site along with the aforementioned eligible site, and two architectural sites consisting of cemeteries that are not eligible that would be avoided. The remaining eligible sites would be avoided, with non-architectural sites fenced during construction to minimize the risk of inadvertent discovery.	2, 4	Contractor / Archaeologist	Prior to construction, throughout construction, and upon completion of construction	Cultural Resources, Section 4(f) Properties
36	Utility conflicts would be addressed through coordination with the relevant utility companies prior to the start of construction. This includes the two USAF cables that cross US Highway 52.	1-6	Project Engineer / Utility Companies / USAF Cable Affairs	Prior to construction and utility line relocation	Infrastructure, Utilities
37	If a utility decides to relocate outside of the existing study area, the utility company would be responsible for environmentally clearing and permitting their new corridor.	1-6	Utility Companies	Prior to construction	Infrastructure, Utilities
38	To minimize disturbance caused by noise during construction and mitigation activities, various BMPs would be implemented (e.g., installing suitable mufflers on all internal combustion engines and certain compressor components).	1-6	Contractor	Throughout construction	Noise
39	NDDOT's Material Source Approval Process would be followed for borrow sites, waste sites, gravel sources, and staging areas.	1-6	Contractor	Prior to construction, throughout construction	Hazardous Waste
40	Obtain a Special Use Permit from USFWS and complete an easement exchange for permanent impacts to USFWS wetland conservation easements.	5,6	Project Engineer/NDDOT	Prior to construction	Wetlands and Other Waters

Chapter 4: Summary of Comments and Coordination

A summary of the agency and public involvement completed during the environmental review process can be found in ***Chapter 5*** of the June 2026 Environmental Assessment.

4.1 Public Hearing

Public Hearings were held at the Sleep Inn and Suites (2400 10th Street SW, Minot, ND) on July 27, 2026, and at Velva City Hall (101 1st Street W, Velva, ND) on July 28, 2026, to present information regarding the EA and receive public input. Each Public Hearing consisted of an open house followed by a formal presentation, with the same information presented at both locations. The EA was made available for public review and comment during a 30-day review period from July 11, 2026, through August 12, 2026. In addition, a separate 15-day Public Hearing comment period was provided following the hearings. The schedules were coordinated so that both comment periods concluded on August 12, 2026, allowing interested parties to review the EA and provide comments through either process. During the review and comment periods, the EA was available for public viewing at the following locations:

- NDDOT Minot District Office (1305 Highway 2 Bypass East, Minot, ND)
- NDDOT Central Office (608 East Boulevard Avenue, Bismarck, ND)
- NDDOT Website (https://www.dot.nd.gov/us-highway-52)

A press release was distributed by the NDDOT on July 21, 2026. The meetings were advertised through legal display advertisements published within the following official county newspapers:

- Minot Daily News: Published July 11th, 2026
- Mouse River Journal: Published July 15th, 2026

In addition to the legal display advertisements and press release, several other advertisement methods were used to spread information about the public hearings. A post was made on the NDDOT's Facebook page on July 21st, 2026, and postcards were sent out to landowners along the corridor prior to the meeting. Refer to ***Appendix B, Notifications,*** for copies of these items.

The meeting details were added to the project website and NDDOT website calendar. The meeting materials, including the handouts, exhibits presented, and presentation can be referenced in ***Appendix C, Handouts***, ***Appendix D, Exhibits Presented***, and ***Appendix E, Presentation Slides***. The meeting audio was recorded and transcribed during the formal presentation and question/answer session of the public hearings. The official transcripts can be found in ***Appendix F, Transcripts***.

Twenty-six people attended the public hearing on July 27th, 2026, 18 of which were members of the public. Thirty-one people attended the public hearing on July 28th, 2026, 20 of which were members of the public. Representatives from NDDOT, local legislators, and local government were present. Consultant team members from Ulteig and Apex Engineering Group gave a formal presentation. Refer to ***Appendix G, Roster*** for copies of the sign-in sheets from both meetings.

A total of 36 comments were received during the public comment period. The comments and responses can be found in ***Appendix, H Comments***.

Chapter 5: Errata to the Environmental Assessment

The purpose of this section is to provide corrections to errors and/or omissions and additional information to the documentation of the EA.

1. In Section 3.5.2 Action Alternatives, paragraph 6 on page 39, remove “Temporary impacts to native woody vegetation in riparian areas and woody draws would be reclaimed onsite at 1:1 ratio, while”.
2. In Section 3.9.2 Action Alternatives, paragraph 5 on page 49, replace “Coordination with the Souris River Joint Board,” with “Coordination with the Souris River Joint Board and USACE,”.
3. In Section 3.9.2 Action Alternative, paragraph 6 on page 49, replace “coordination with Souris River Joint Board” with “coordination with Souris River Joint Board and USACE”.
4. In ***Table 23, Environmental Commitments,*** on page 93, column: Commitment, row: Number 7. Remove “Temporary impacts to native woody vegetation in riparian areas and woody draws would be reclaimed onsite at 1:1 ratio, while”.
5. Revise the text in ***Table 23, Environmental Commitments***, on page 94, column: Commitment, row: Number 10. Replace “Compensatory mitigation for USACE jurisdictional wetlands would occur by purchasing credits from a USACE approved wetland mitigation bank, ditch shifts, and/or offset by design. Mitigation for permanent impacts on all other natural wetlands would occur by purchasing credits from a wetland mitigation bank, ditch shifts, and/or offset by design. Permanent impacts greater than 0.030 acres of Other Waters would be mitigated by purchasing credits from a NDDOT wetland mitigation bank at a 2:1 ratio.” with “Compensatory mitigation for USACE jurisdictional wetlands would occur via use of credits from a USACE approved wetland mitigation bank, ditch shifts, and/or offset by design. Mitigation for permanent impacts on all other natural wetlands would occur via use of credits from a FHWA-approved wetland mitigation bank, ditch shifts, and/or offset by design. Permanent impacts greater than 0.030 acres of Other Waters would be mitigated by utilizing credits from a wetland mitigation bank at a 2:1 ratio. The wetland mitigation plan would be incorporated into the plans for this project. After completion of the mitigation areas, the Engineer will complete the Onsite Mitigation Certification Form SFN 61042. Any sedimentation occurring withing the mitigation area will be removed.”
6. In ***Table 23, Environmental Commitments***, on page 94, column: Implementing Entity, row: Number 10. Add “/ Project Engineer”.
7. Revise the text in ***Table 23, Environmental Commitments***, on page 94, column: Commitment, row: Number 13. Replace “Coordination with the Souris River Joint Board,” with “Coordination with the Souris River Joint Board and USACE,”.
8. Revise the text in ***Table 23, Environmental Commitments***, on page 97, column: Timing of Implementation, row: Number 35. Replace “Prior to construction and throughout construction” with “Prior to construction, throughout construction, and upon completion of construction”.
9. Add a row to ***Table 23, Environmental Commitments***, on page 97 with the following text. Column: Number “40”, column: Commitment “Obtain a Special Use Permit from USFWS and complete an easement exchange for permanent impacts to USFWS wetland conservation easements.”, column: Segment “5,6”, column: Implementing Entity “Project Engineer/NDDOT”, column: Timing of Implementation “Prior to construction”, column: Environmental Impact Category “Wetlands and Other Waters”.

Appendix A, June 2026 Environmental Assessment

ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL ASSESSMENT

Project No.	PCN
4-052(109)101	24012

US Highway 52 Four Lane from Approximately 2.3 Miles West of Junction 79th Avenue SE to Voltaire

Ward & McHenry Counties

Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
BISMARCK, NORTH DAKOTA

http://www.dot.nd.gov/

DIRECTOR
Ronald J. Henke, P.E.

PROJECT DEVELOPMENT DIRECTOR
Jon Ketterling, P.E.

June 2026

23 USC § 407
NDDOT Reserves All Objections

June 2026

ENVIRONMENTAL ASSESSMENT

US Highway 52 Four Lane

From Approximately 2.3 Miles West of Junction 79th Avenue SE to Voltaire
WARD & McHENRY COUNTIES

Project No. 4-052(109)101, PCN 24012

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

LINDSEY LUANN HANDEL

Digitally signed by LINDSEY LUANN HANDEL
Date: 2026.06.17 13:39:58 -05'00'

Lindsey Handel
Deputy Division Administrator
Federal Highway Administration

Date

Table of Contents

TABLE OF CONTENTS I
TABLE OF TABLES II
TABLE OF FIGURES III
LIST OF APPENDICES III
LIST OF DOCUMENTS APPENDED BY REFERENCE IV
LIST OF ACRONYMS AND ABBREVIATIONS V
CHAPTER 1: PURPOSE AND NEED 1
1.1 Introduction 1
1.2 Proposed Action 1
1.3 Background 1
1.4 Purpose and Need for Action 4
CHAPTER 2: ALTERNATIVES 8
2.1 Development of Alternatives 8
2.2 Alternatives Screening 10
2.3 Alternatives Analyzed in Detail 11
2.4 Alternatives By Segment 12
2.5 Roadway Design 19
2.6 Construction 20
2.7 Right-of-Way Impacts 22
2.8 Cost Summary 23
2.9 Preferred Alternative 24
CHAPTER 3: AFFECTED ENVIRONMENT AND IMPACTS 24
3.1 Geology 24
3.2 Soils 30
3.3 Land Use 31
3.4 Farmland 35
3.5 Vegetation 37
3.6 Water Resources 39
3.7 Wetlands and Other Waters 41
3.8 Water Quality 43
3.9 Floodplain 44
3.10 Wildlife and Fisheries 49
3.11 Threatened and Endangered Species 52
3.12 Social and Economic 57
3.13 Cultural Resources 59
3.14 Section 4(f) Properties 60
3.15 Infrastructure 63
3.16 Air Quality 64
3.17 Noise 65
3.18 Visual 67
3.19 Hazardous Waste 68
3.20 Utilities 71
3.21 Irreversible and Irretrievable Commitments of Resources 72
3.22 Impact Categories Not Relevant to Proposed Action 73
3.23 Summary 73

CHAPTER 4: PERMITS/APPROVALS, ENVIRONMENTAL COMMITMENTS, AND COMPLIANCE 92
4.1 Permits and Approvals 92
4.2 Environmental Commitments 92
CHAPTER 5: CONTRIBUTORS, PUBLIC INVOLVEMENT, AND COORDINATION 98
5.1 Coordination with Agencies and Organizations 98
5.2 Public Involvement 98
5.3 Contributors 99
CHAPTER 6: REFERENCES 101

Table of Tables

Table 1, Crash Data within Study Area 5
Table 2, Lighting Summary 19
Table 3, Right-of-Way Impacts 23
Table 4, Cost Summary 23
Table 5, PFYC Classes in Study Area 26
Table 6, Earthwork Impacts 29
Table 7, Net Additional Impervious Surface Area 31
Table 8, Land Use in Study Area 33
Table 9, Land Use Impacts 34
Table 10, Impacts to Prime and Unique Farmland 37
Table 11, Wetland and Other Waters Impacts Summary 43
Table 12, Threatened and Endangered Species Effect Determinations 54
Table 13, NDDEQ Environmental Incidents 69
Table 14, Leaking Underground Storage Tanks 70
Table 15, Underground Storage Tanks 70
Table 16, Estimated Impacts on Utilities 71
Table 17, Segment 1 Impact Summary and Comparison 74
Table 18, Segment 2 Impact Summary and Comparison 76
Table 19, Segment 3 Impact Summary and Comparison 79
Table 20, Segment 4 Impact Summary and Comparison 82
Table 21, Segment 5 Impact Summary and Comparison 86
Table 22, Segment 6 Impact Summary and Comparison 89
Table 23, Summary of Environmental Commitments 93
Table 24, Contributors 99

Table of Figures

Figure 1, Study Area 2
Figure 2, Existing Passing Lanes....3
Figure 3, Current and Projected Traffic Volumes and Truck Percentages in Study Area 5
Figure 4, Current Traffic Volumes and Truck Percentages on Major Highways in Minot Area 5
Figure 5, Project Segments....9
Figure 6, Proposed Depressed Median 11
Figure 7, Proposed Flush Median 12
Figure 8, Velva Grade Raise....13
Figure 9, Alternative B Velva Grade Raise Section 14
Figure 10, Alternative C Velva Grade Raise Section 14
Figure 11, Velva Typical Section 15
Figure 12, Crosswalk Intersection in Velva....16
Figure 13, Velva Shared Use Path....17
Figure 14, At-Grade Railroad Spur Crossing 17
Figure 15, Rendering of Depressed Median Construction 21
Figure 16, Rendering of Flush Median Construction - Expansion to Both Sides 21
Figure 17, Rendering of Flush Median Construction - Expansion to South Only....22
Figure 18, Mapped Landslides....25
Figure 19, Inclinometer and Geotechnical Boring Locations....26
Figure 20, PFYC Class for Geological Formations (East) 27
Figure 21, PFYC Class for Geological Formations (West)....28
Figure 22, Land Use 32
Figure 23, Prime and Unique Farmland....36
Figure 24, Water Resources 40
Figure 25, Velva Flood Protection Levee 45
Figure 25, Floodplain and Floodway Map 46
Figure 27, Velva Flood Protection Levee Boundary....47
Figure 28, Sawyer Flood Control Structure 48
Figure 29, Recreational Section 4(f) Properties....62
Figure 30, US Highway 52 Viewshed 68

List of Appendices

Appendix A FHWA Cooperating and Participating Agency Letters
Appendix B Solicitation of Views Package and Responses
Appendix C NDSHPO Documentation
Appendix D Section 4(f) Documentation
Appendix E Prime and Unique Farmland Documentation
Appendix F USFWS Documentation
Appendix G Wetland Documentation
Appendix H FIRM Maps
Appendix I Preferred Alternative Recommendation Memo

List of Documents Appended by Reference

Aquatic Resources Delineation Report
Aquatic Resources Delineation Report Addendum
Biological Assessment
Categorical Exclusion by Definition Checklist for Geotechnical Soil Borings (March 2024)
Categorical Exclusion by Definition Checklist for Geotechnical Soil Borings (December 2024)
Class III Cultural Resource Inventory - Architectural Sites
Class III Cultural Resource Inventory - Archaeological Sites
Cultural Resource Testing and Evaluation Plan
Cultural Resource Testing and Evaluation Report
Dakota Skipper Habitat Survey Report
Dakota Skipper Habitat Survey Memo
Hydrologic and Hydraulic Technical Memorandums
Northern Long-Eared Bat Structure Assessment Memos
Preliminary Engineering Report
Preliminary Slope Stability Analysis Report
Public Involvement Report (January 2025)
Public Involvement Report (November 2025)
Traffic Noise Analysis Report
US Highway 52 Traffic Operations Report

List of Acronyms and Abbreviations

ADM	Archer Daniels Midland
ANS	Aquatic Nuisance Species
APE	Area of potential effect
dB(A)	A-weighted decibels
BMPs	Best management practices
BA	Biological Assessment
CPKC	Canadian Pacific Kansas City
CAA	Clean Air Act
CWA	Clean Water Act
CFR	Code of Federal Regulations
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EAP	Emergency Action Plan
ESA	Endangered Species Act
EA	Environmental Assessment
EO	Executive Order
FEMA	Federal Emergency Management Agency
FPPA	Farmland Protection Policy Act of 1981
FHWA	Federal Highway Administration
ITS	Intelligent Transportation System
LUST	Leaking underground storage tank
LED	Light-emitting diode
MUTCD	Manual on Uniform Traffic Control Devices
MBTA	Migratory Bird Treaty Act
mph	Miles per hour
MREFPP	Mouse River Enhanced Flood Protection Project
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NRCS	Natural Resource Conservation Service
NAC	Noise abatement criteria
NDAC	North Dakota Administrative Code
NDCC	North Dakota Century Code
NDDEQ	North Dakota Department of Environmental Quality
NDDOT	North Dakota Department of Transportation
NDDWR	North Dakota Department of Water Resources
NDGFD	North Dakota Game and Fish Department
NDGS	North Dakota Geological Survey
NDPRD	North Dakota Parks and Recreation Department
NDSHPO	North Dakota State Historic Preservation Office

OWJ	Official With Jurisdiction
PCN	Project Control Number
PHB	Pedestrian Hybrid Beacon
PFYC	Potential Fossil Yield Classification
RP	Reference Point
RCRA	Resource Conservation and Recovery Act
ROW	Right-of-way
SCORP	State Comprehensive Outdoor Recreation Plan
SUP	Special Use Permit
SPCC	Spill Prevention, Control, and Countermeasure
SAAQS	State Ambient Air Quality Standards
SIP	State Implementation Plan
SWPPP	Storm Water Pollution Prevention Plan
US	United States
USAF	United States Air Force
USACE	United States Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
WAPA	Western Area Power Administration

Chapter 1: Purpose and Need

1.1 Introduction

The Federal Highway Administration (FHWA), in cooperation with the North Dakota Department of Transportation (NDDOT), is preparing an Environmental Assessment (EA) to evaluate the proposed expansion of approximately 22 miles of US Highway 52 from a two-lane to a four-lane highway. The United States Army Corps of Engineers (USACE) North Dakota Regulatory Office is serving as a participating agency during the NEPA process. Please refer to ***Appendix A, FHWA Cooperating and Participating Agency Letters***. As the lead federal agency, FHWA is responsible for complying with the National Environmental Policy Act of 1969 (NEPA), as amended, which requires the identification and evaluation of potential impacts of the proposed federal action and reasonable alternatives on the human and natural environment (i.e., environmental impacts).

This EA was prepared in accordance with 23 Code of Federal Regulations (CFR) Part 771, which outlines FHWA's procedures for implementing NEPA. An EA is an informational document used to determine whether a proposed federal action has the potential to cause significant environmental impacts, thereby requiring the preparation of an Environmental Impact Statement (EIS). The EA discloses relevant information about the potential environmental impacts and benefits of the proposed project and its alternatives.

1.2 Proposed Action

The proposed action is to expand US Highway 52 from a two-lane to a four-lane highway, to address the purpose and need specified below. The expansion would begin at Reference Point (RP) 101.2 near Minot (approximately 2.3 miles west of Junction 79th Ave SE) and would terminate at RP 123.0 just east of Voltaire. The study area for this project begins at RP 100.4 and terminates at RP 123.3. Please refer to ***Figure 1, Study Area.***

1.3 Background

The proposed project is located along US Highway 52 between Minot and Voltaire. Four communities, including Logan, Sawyer, Velva, and Voltaire, are located along the corridor. This segment of US Highway 52 is currently a two-lane interregional highway connecting various communities in the region, serving local and regional commuters, providing opportunities for freight transportation, and facilitating the movement of agricultural products and equipment. Interregional travel has increased the amount of traffic traveling along this route. This increase, especially the high percentage of truck traffic, has raised concerns from the public about safety along the corridor.

In 2021, the NDDOT undertook the development of passing lanes along US Highway 52 between Minot and Carrington. The overall corridor was divided into three separate projects for construction purposes. The westernmost project ran from Logan to Balfour, overlapping portions of this four-lane project corridor, and was constructed during the 2023 construction season. The project corridor for this four-lane expansion project has eastbound and westbound passing lanes installed between Logan and Sawyer, as well as between Sawyer and Velva. Please refer to ***Figure 2, Existing Passing Lanes.***

During the development process for the passing lane projects, a number of public comments were received pushing for four lanes, particularly along this segment of US Highway 52 between Minot and Voltaire. Local leaders and elected officials voiced these concerns during the 2023 North Dakota legislative session. Funding was allocated during the legislative session to initiate the study of four-lanes along this corridor.

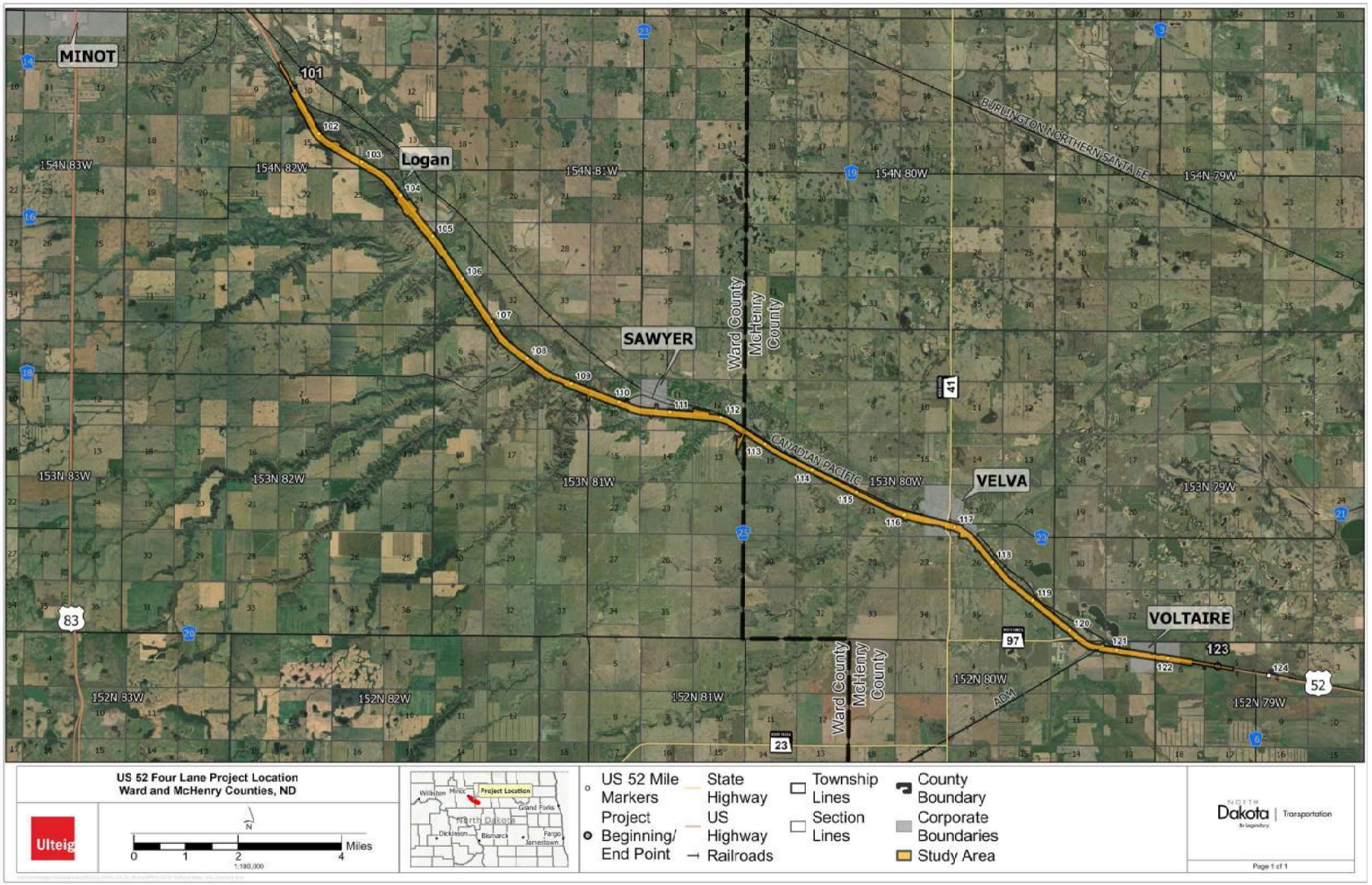


Figure 1, Study Area

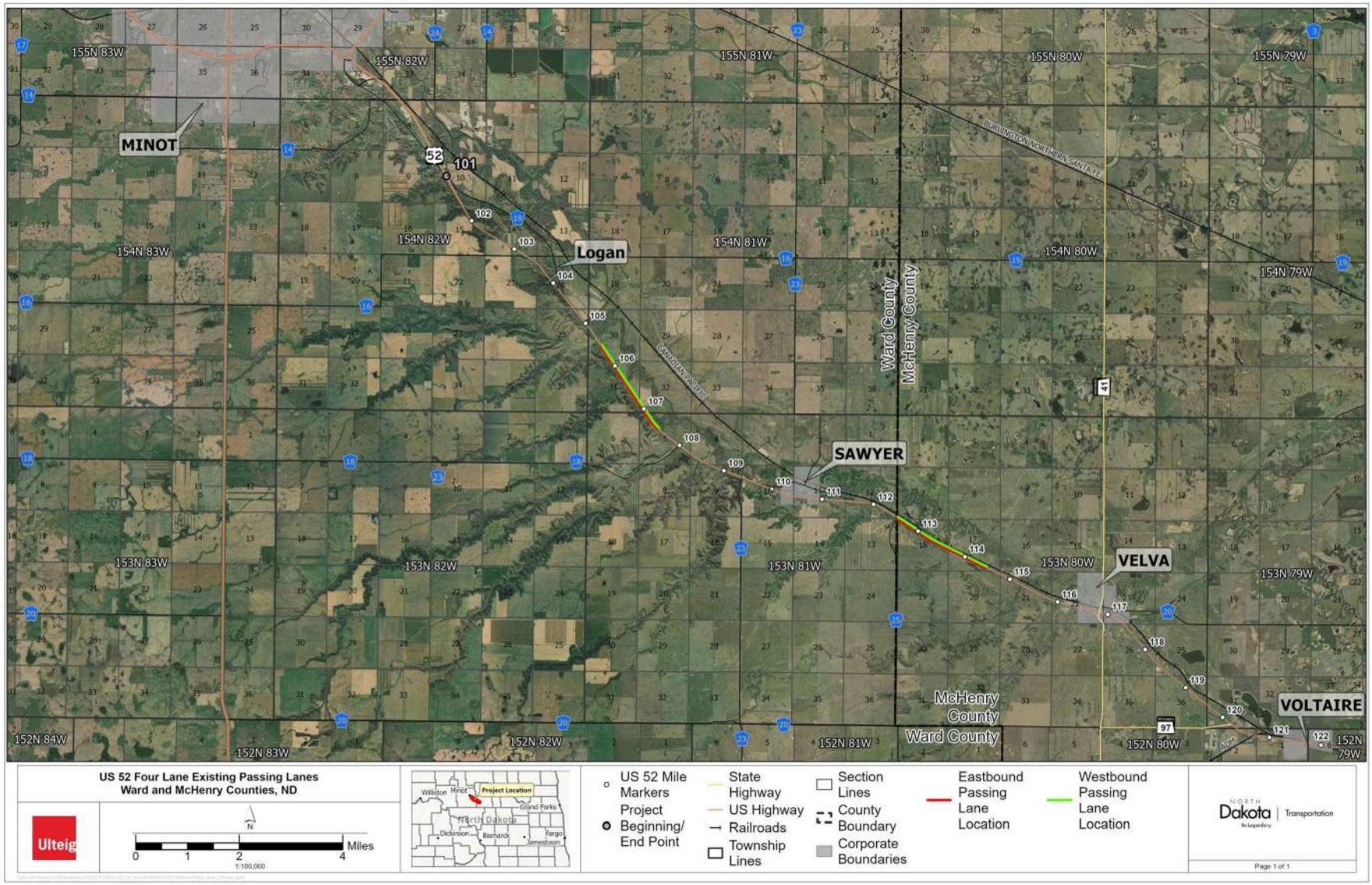


Figure 2, Existing Passing Lanes

1.4 Purpose and Need for Action

The purpose and need for the proposed action are based on perceived safety issues, accommodation of existing and future traffic needs, fulfilment of legislature funding obligations, and social economic demands.

1.4.1 Perceived Safety Issues

As mentioned above, public and local officials have expressed a desire for a four-lane corridor, citing safety concerns as one of the primary driving needs. As a result, a stakeholder working group was formed, including representatives from applicable cities, counties, and townships, along with local legislative officials. This group met twice in 2024 (on April 29 and October 7) to discuss the project and identify the needs and motivations behind the call for four lanes. Public input meetings were also held on October 21 and 22, 2024, during the early development phase. A consistent theme from both stakeholders and the public was the perception that this corridor is unsafe due to high traffic volumes and a significant share of truck traffic (see ***Chapter 5: Contributors, Public Involvement, and Coordination***).

The ***US Highway 52 Traffic Operations Report*** (appended by reference) examined current and projected traffic volumes and truck traffic. In 2023, traffic volumes within the study area ranged from 2,250 to 4,925 vehicles per day, increasing with proximity to Minot. By 2047, volumes are predicted to increase, ranging from 3,265 to 6,650 vehicles per day. Trucks currently make up between 21 and 32 percent of traffic within the study area. The highest truck volumes occur near Minot (over 1,000 trucks per day), while the highest truck percentage is found between Velva and Voltaire, where trucks account for 32 percent of total traffic. Among major highways in the Minot area, US Highway 52 within the project study area has the highest percentage of truck traffic. Businesses associated with truck traffic also exist along the project corridor including the Dakota Midland grain elevator, the CF Industries fertilizer supplier, and the Archer Daniels Midland (ADM) biodiesel facility. Please refer to ***Figure 3, Current and Projected Traffic Volumes and Truck Percentages in Study Area*** and ***Figure 4, Current Traffic Volumes and Truck Percentages on Major Highways in Minot Area***. The average truck percentage for North Dakota's interregional highways is 21.2 percent (NDDOT, 2021).

The ***US Highway 52 Traffic Operations Report*** (appended by reference) also analyzed crash data from 2018 to 2022 (excluding 2023 due to ongoing passing lane construction). The findings indicated that crash rates along the corridor fall within typical ranges for similar highways, with the crash rates through Velva observed to be the highest. Velva has the highest access density (i.e., amount of access points such as driveways or entrances) in comparison to the other roadway segments and is the only segment on US Highway 52 where travelers go through a developed part of a community. A total of 82 crashes were reported in the overall study area between 2018 and 2022, with two of the crashes reported as fatal. Seven of these crashes occurred in Velva. Please refer to ***Table 1, Crash Data within Study Area.*** Approximately 22 percent of total crashes within the overall study area involved trucks.

Figure 3, Current and Projected Traffic Volumes and Truck Percentages in Study Area

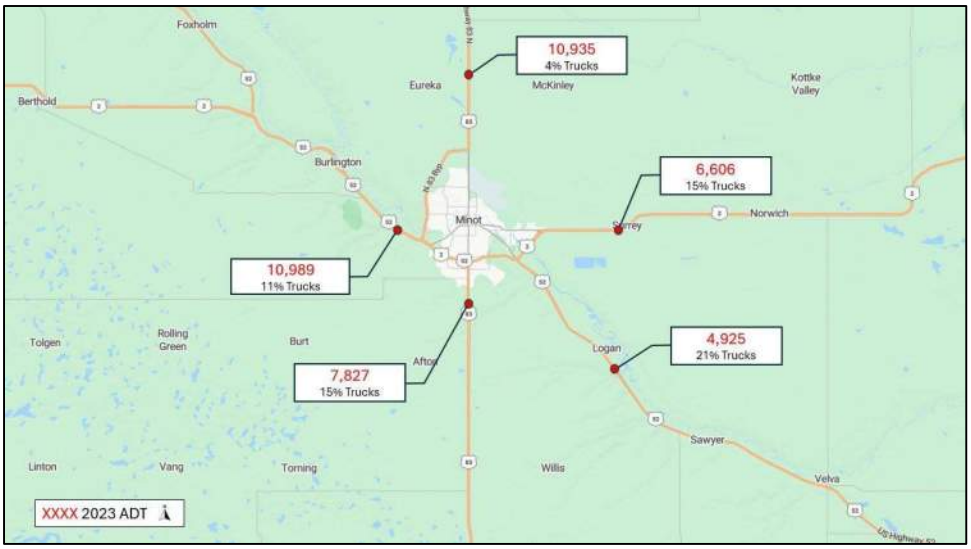


Figure 4, Current Traffic Volumes and Truck Percentages on Major Highways in Minot Area

Table 1, Crash Data within Study Area

Location	Total Crashes (2018-2022)	Crash Rate (Per Million Miles Traveled)	
		Observed	Typical Range
RP 101 to Sawyer	38	0.45	0.45 to 0.75
Sawyer to Velva City Limits	27	0.73	0.45 to 0.75
Through Velva	7	1.05	0.87 to 2.86
Velva City Limits to RP 123	10	0.50	0.45 to 0.75
Total	**82**		

While the ***US Highway 52 Traffic Operations Report*** (appended by reference) does not indicate that the project corridor is statistically less safe than comparable highways, there is a consistent perception among drivers that the roadway feels unsafe. This perception is likely influenced by the high percentage of truck traffic, which can limit passing opportunities, reduce visibility, and affect traffic flow due to longer acceleration and deceleration distances. These conditions may lead some drivers to attempt riskier passing maneuvers. In addition, the western portion of the corridor traverses the breaks area of the Souris[1] River valley, where rugged terrain has resulted in roadway features such as cable guardrail, limited shoulders, and steep inslopes, all of which can reduce driver comfort.

Addressing these perceived and systemic risk factors aligns with North Dakota's Vision Zero initiative, which seeks to eliminate traffic fatalities and serious injuries through proactive roadway design and operational improvements. Vision Zero places emphasis not only on crash frequency, but also on reducing the potential for severe and fatal crashes by minimizing high-risk conflict types and improving overall roadway predictability.

Expanding the corridor to four lanes would address these concerns by increasing passing opportunities, accommodating traffic more effectively, separating opposing traffic streams, and upgrading the corridor to current roadway design standards. These improvements support Vision Zero principles by reducing driver frustration, discouraging risky passing behavior, and mitigating the types of crashes most commonly associated with severe outcomes.

Additionally, FHWA's Interactive Highway Safety Design Model was used to evaluate potential safety effects associated with expanding the corridor to four lanes. Based on the results of that predictive analysis, expansion of the existing two-lane highway to a four-lane facility is anticipated to reduce head-on crash potential by approximately 74 percent, angle crash potential by approximately 64 percent, and rear-end crash potential by approximately 42 percent. These reductions are consistent with Vision Zero's emphasis on reducing exposure to high-severity crashes, even on corridors that currently operate within acceptable safety performance ranges.

1.4.2 Existing and Future Traffic Needs

This segment of US Highway 52 is classified as an interregional corridor, which prioritizes truck traffic and typically supports travel speeds between 60 and 70 miles per hour (mph). As mentioned above, the corridor carries a substantial volume of truck traffic, ranging from 21 to 32 percent of the total traffic. The highest truck percentage is between Velva and Voltaire, where trucks make up 32 percent of overall traffic. Overall traffic volumes are highest near Minot and are expected to increase by approximately 35 to 45 percent from 2023 to 2047.

Based on the ***US Highway 52 Traffic Operations Report*** (appended by reference), traffic operations along the corridor currently function at acceptable levels, with the majority of segments operating at Level of Service (LOS) A under existing conditions and select segments projected to operate at LOS B during peak periods under future (2047) traffic volumes. While LOS B is generally considered acceptable for rural roadway facilities, the analysis indicates increasing traffic demands will continue to place pressure on the existing two-lane configuration over time.

Under both 2023 and 2047 traffic conditions, a four-lane configuration (with either a flush median or a divided median) provides improved operational performance relative to the existing configuration. Results show that the four-lane alternatives consistently operate at LOS A across all analyzed segments during both the AM and PM peak periods, indicating greater operational efficiency and additional capacity to accommodate traffic growth.

[1] Also referred to as Mouse River.

1.4.3 Legislature Funding Obligations

During the development of the US Highway 52 passing lane projects between Minot and Carrington, local leaders and elected officials elevated public concerns regarding corridor safety. As a result, funding was secured during the 2023 legislative session to initiate a study on expanding the corridor to four lanes. This legislative funding supports a preliminary engineering study and the development of an environmental document for the segment between Minot and Voltaire. Completion of these efforts will fulfill the requirements outlined in the legislative allocation.

1.4.4 Social and Economic Demand

US Highway 52 is a critical transportation route in the region, serving local and regional commuters, freight carriers, and the movement of agricultural products and equipment. Growth in traffic volumes mentioned above, population growth, and increased economic activity has further elevated the highway's importance. Compared to 2010, the population of McHenry County is expected to increase by approximately 58 percent by 2035 and the population of Ward County is expected to increase by 32.5 percent. This growth is above average in comparison to adjacent counties (SRF Consulting Group, Inc., 2015).

Growth in employment and industry are also expected to increase. Between 2010 and 2035, a 12.6 percent increase in employment and 43.9 percent increase in industry is projected for McHenry County (SRF Consulting Group, Inc., 2015). Agriculture and value-added agricultural activities are expected to bring the greatest economic future change for Ward County, due to a newly built agricultural product processing center in Minot (i.e., AGT Foods); however, other industries driving economic growth have been the oil and gas industry and US Government installations and services (i.e., Minot Air Force Base and associated facilities). AGT Foods is anticipated to double or triple the economic impact from value-added agriculture in Ward County. The oil and gas industry has historically represented 15 percent of the total employees and 28 percent of total wages in Ward County. Future growth in oil and gas jobs are expected to see moderate increase by approximately 250 to 350 jobs (Ward County, 2019a). Based on a recent report, the Minot Air Force Base' total economic impact reaches 651 million annually, supplying thousands of jobs and supporting various other industries (Davies, 2025).

This segment of highway links numerous small communities with larger cities across the state, strengthening its role as a key connector. The United States Air Force (USAF) 91st Missile Wing has also designated the corridor as a mission-essential route for their operations. Minot serves as the intersection for three US Highways (US Highway 2, US Highway 52, and US Highway 83). US Highway 2 and US Highway 83 are four-laned for a substantial distance, while US Highway 52 is not and it carries the highest percentage of truck traffic relative to overall traffic volumes. As the region continues to grow, the demand for a more efficient and reliable highway system increases. Expanding US Highway 52 to a four-lane facility would help meet these needs, support economic development, and enhance connectivity for both civilian and military purposes.

The Souris River experienced a record-breaking flood in 2011 that significantly affected Minot and communities along the US Highway 52 corridor. During this event, a portion of US Highway 52 west of Velva was overtopped by floodwaters and closed to public travel. The closure resulted in social and economic impacts to the region by limiting first responders' ability to conduct flood-fighting activities requiring regional freight traffic to use less favorable routes, and hindering local mobility and connectivity. In addition to expanding the project corridor to four lanes, the proposed action would raise the roadway grade of US Highway 52 through the area overtopped in 2011 to reduce the potential for future inundation and provide a more reliable transportation facility for local and regional travelers.

Chapter 2: Alternatives

2.1 Development of Alternatives

Due to the legislative mandate to study a four-lane highway expansion, the alternatives development process focused specifically on four-lane scenarios to meet the purpose and need identified in Chapter 1. Additionally, because the existing highway and associated ROW are owned by NDDOT, the evaluation centered on expanding the current corridor rather than focusing on new or off-alignment routes. Off-alignment alternatives were not pursued for detailed analysis, as they would result in significantly greater impacts to both the human and natural environments, as well as substantially higher costs. These factors helped narrow the range and location of feasible alternatives.

The alternatives development process was further informed by the following resources:

- Solicitation of views mailings
- Public input meetings
- Stakeholder input
- Agency coordination
- Purpose and need
- Environmental constraints
- Traffic operations studies
- Roadway design criteria
- Preliminary engineering report

The initial alternatives development process resulted in the development of two primary build alternatives, a divided four-lane highway with a depressed center median and a divided four-lane highway with a flush paved center median. As these two alternatives were applied to the entire corridor, it became apparent that a hybrid combination of these two alternatives may be best suited to address the needs and various constraints along the project corridor. Therefore, the overall corridor was divided into six segments analyzing distinct alternatives for each segment. Please refer to ***Figure 5, Project Segments***. In addition to the alternatives described in ***2.4, Alternatives By Segment***, the no build alternative is also under consideration for all segments. The six segments were broken down into the following RP ranges:

- Segment 1: RP 101.20 to RP 108.94
- Segment 2: RP 108.94 to RP 112.51
- Segment 3: RP 112.51 to RP 116.22
- Segment 4: RP 116.22 to RP 117.53
- Segment 5: RP 117.53 to RP 120.65
- Segment 6: RP 120.65 to RP 123.00

The project extends from RP 100.4 near Minot to RP 123.3 east of Voltaire. At the west end, the corridor would tie into the existing four-lane section of US Highway 52, which begins south of the US Highway 2 interchange. At the east end near Voltaire, the project would connect to an existing eastbound passing lane.

A ***Preliminary Engineering Report*** (appended by reference) was developed during the preliminary engineering study phase to document the activities completed, decisions made, and the preliminary alternatives identified for further evaluation in this document. The report focused on developing conceptual alternatives and identifying key constraints along the corridor.

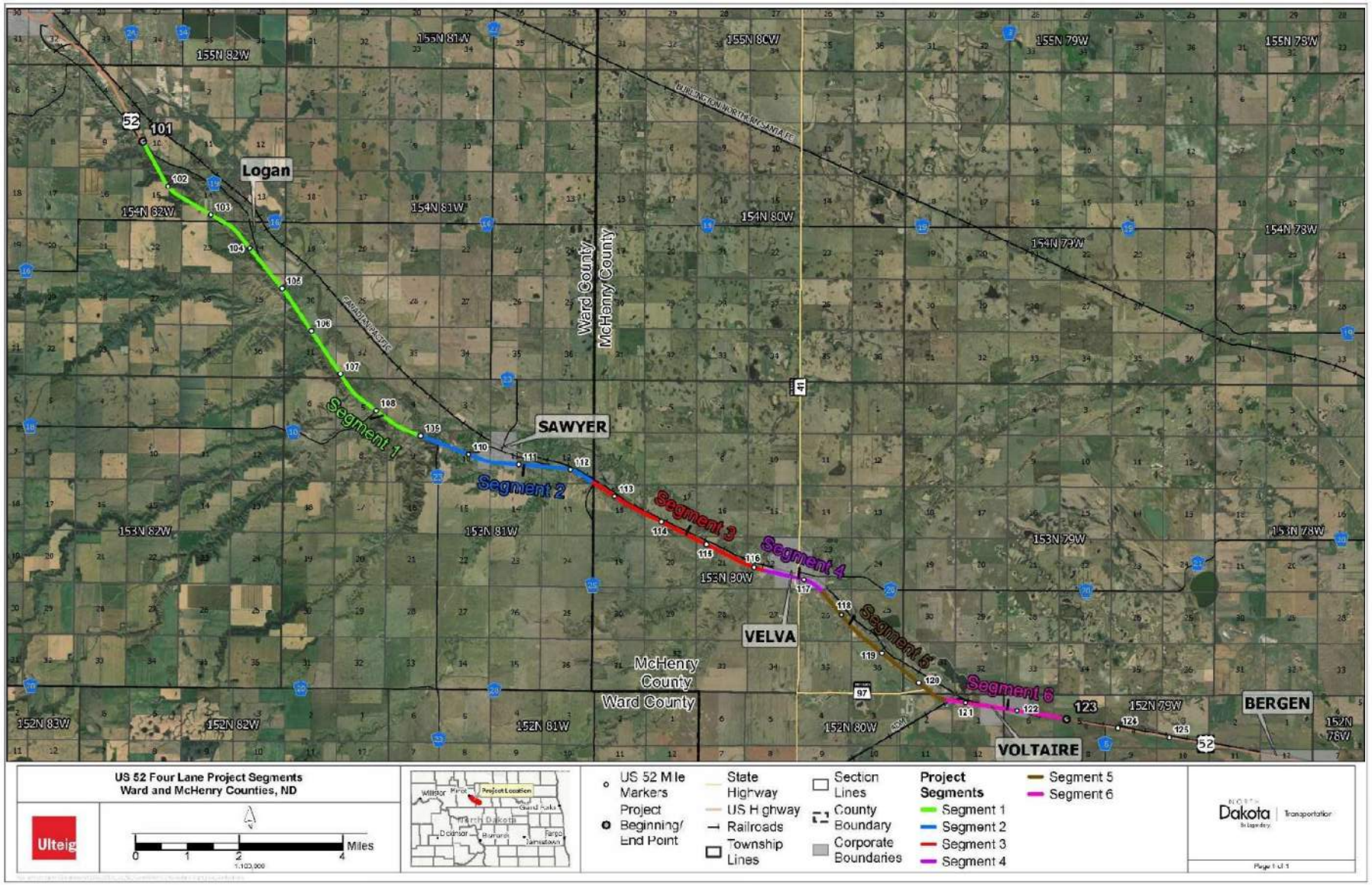


Figure 5, Project Segments

2.2 Alternatives Screening

Initial alternatives screening was completed for all six segments of the project corridor to evaluate the feasibility of the two build alternatives for each segment. The following design criteria and guidelines were applied during the screening process:

Design Speed:

- 70 mph for depressed median alternatives
- 65 mph for flush median alternatives (except through Velva)
- 40-50 mph for flush median alternatives through Velva, to accommodate existing development and right-of-way (ROW) constraints

Median Widths:

- 20-foot paved flush median for flush median alternatives
- 12-foot flush median through Velva
- 84 feet centerline to centerline for depressed median alternatives

Slopes and Grading:

- 6:1 inslopes to the clear zone
- Steeper slopes (up to 2:1) in constrained areas where necessary due to topography, existing development, or ROW limitations

Additional Improvements:

- Shoulder and inslope enhancements along the existing roadway,
    - Exceptions for instances where such improvements would result in undesirable conflicts or impacts

In addition to design standards, known constraints were also considered during the screening process, including ROW availability, existing infrastructure, environmental and cultural resources, and geotechnical considerations.

As a result of the initial screening process, certain build alternatives were determined to be infeasible and were removed from further consideration:

Segment 2

Within Segment 2, an option to close the 2nd Avenue East intersection at Sawyer was initially considered but was subsequently eliminated from further consideration. Coordination with the City of Sawyer confirmed that during the 2011 Mouse River flood, 2nd Avenue East served as the sole access route into and out of the city due to flood-related closures of other access points. The roadway is a city-maintained farm-to-market route extending north and south of US Highway 52 and lies within the Sawyer city limits. Given its critical role in providing emergency access during past flooding events and the potential need for similar functionality during future flood events, closure of 2nd Avenue was determined to be imprudent. Additionally, the City of Sawyer expressed a preference to keep the roadway open, and limited public input was received in support of closure during project outreach activities. Accordingly, closure of 2nd Avenue East was removed from further consideration.

Segment 4

Segment 4 passes through the city of Velva and represents the only urban portion of the project corridor. This segment is bordered closely by businesses and residences on both sides of the highway. Implementing a depressed median alternative in this area would require substantial additional ROW acquisition and would likely necessitate the relocation of adjacent properties.

Due to these constraints, the depressed median alternative was determined to be infeasible for Segment 4 and was eliminated from further analysis.

2.3 Alternatives Analyzed in Detail

The no build alternative and two build alternatives will be carried forward for detailed analysis in Chapter 3 of this EA. Due to segmentation of the overall project corridor, each segment includes both a four-lane divided depressed median alternative and a four-lane divided flush median alternative, except for Segment 4, where the depressed median alternative was deemed not feasible and has been eliminated from further consideration.

In addition to the no build and build alternatives, a design option has been developed in Velva (Segment 4) where an additional design consideration and decision is required.

2.3.1 Alternative A – No Build

Alternative A, the no build alternative, would not address the identified needs related to perceived safety concerns, existing and future traffic demands, fulfillment of legislative funding obligations, or regional social and economic development. Under this alternative, US Highway 52 would remain in its current configuration, with only routine maintenance activities taking place. Although Alternative A does not meet the project's purpose and need, it is included in the EA to serve as a baseline for comparison with the build alternatives carried forward for detailed analysis.

2.3.2 B Alternatives – Divided Four-lane Highway with a Depressed Center Median

The depressed center median alternatives would consist of two 12-foot driving lanes in each direction, with 8-foot outside shoulders and 4-foot inside shoulders. A 52-foot-wide grassed depressed median would separate the two roadways. This median width could be reduced during final design to minimize impacts at select locations. To the extent practicable, the existing highway would be used to carry two lanes of traffic in one direction, while two new lanes would be constructed adjacent to the existing roadway to carry traffic in the opposite direction. The posted speed limit for this alternative would be 70 mph. Turn lanes would be installed throughout the corridor where warranted, as identified in the ***US Highway 52 Traffic Operations Report*** (appended by reference). Please refer to ***Figure 6, Proposed Depressed Median*** for the proposed typical section.

Figure 6, Proposed Depressed Median

2.3.3 C Alternatives – Divided Four-lane Highway with a Flush Center Median

The flush center median alternatives would consist of two 12-foot driving lanes in each direction, with 8-foot outside shoulders. A 20-foot-wide paved flush median would separate the opposing lanes of traffic. Where feasible, the median centerline would follow the existing roadway centerline, shifting off the crown only where necessary to avoid impacts. The posted speed limit for this alternative would be 65 mph outside Velva, reduced to 50 mph and 40 mph within city limits. Turn lanes would be installed throughout the corridor where warranted, as identified in the ***US Highway 52 Traffic Operations Report*** (appended by reference). Please refer to ***Figure 7, Proposed Flush Median*** for the proposed typical section.

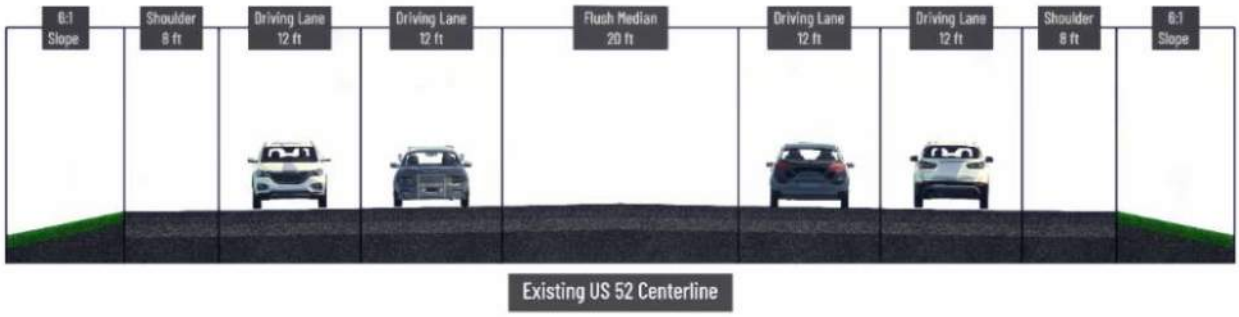


Figure 7, Proposed Flush Median

2.4 Alternatives By Segment

2.4.1 Segment 1 RP 101.20 to RP 108.94

Segment 1 extends from the west end of the project at RP 101.20 to RP 108.94, a total distance of 7.74 miles. At its western terminus, the corridor connects to the existing four-lane section of US Highway 52, which begins south of the US Highway 2 interchange. Segment 1 is characterized by steep river break terrain as it parallels the Souris River. Throughout this segment, NDDOT owns excess ROW along the south side of the highway. Two build alternatives have been developed for this segment and are described in detail below.

2.4.1.1 Alternative B1

Alternative B1 consists of a four-lane roadway with a depressed center median. Under this alternative, the existing roadway would be used to carry two lanes of westbound traffic, while a new two-lane facility would be constructed to the south to accommodate eastbound traffic. Shoulders and inslopes along the existing roadway would be improved to meet current design standards. This alternative would follow the previously described design criteria and have a posted speed limit of 70 mph.

2.4.1.2 Alternative C1

Alternative C1 consists of a four-lane roadway with a flush paved center median. Under this alternative, the existing roadway would be widened evenly to both sides to accommodate the additional lanes and center median. As part of the expansion, shoulders and inslopes would be improved to meet current design standards. This alternative would follow the previously described design criteria and include a posted speed limit of 65 mph.

2.4.2 Segment 2 RP 108.94 to RP 112.51

Segment 2 extends from RP 108.94 to RP 112.51, a total distance of 3.57 miles. This segment runs along the south side of the city of Sawyer. Throughout Segment 2, NDDOT owns excess ROW along the south side of the highway. Two build alternatives have been developed for this segment and are described in detail below.

2.4.2.1 Alternative B2

Alternative B2 consists of a four-lane roadway with a depressed center median. Under this alternative, the existing roadway would be used to carry two lanes of westbound traffic, while a new two-lane facility would be constructed to the south to accommodate eastbound traffic. Shoulders and inslopes along the existing roadway would be improved to meet current design standards. This alternative would follow the previously described design criteria and have a posted speed limit of 70 mph.

2.4.2.2 Alternative C2

Alternative C2 consists of a four-lane roadway with a flush paved center median. Under this alternative, the existing roadway would be widened to the south, shifting the current centerline an average of 27 feet

(18 feet to 34 feet) to minimize impacts to existing constraints. Key benefits of shifting the centerline to the south include:

- Significantly reducing impacts to 1st Street W, just west of Sawyer.
- Avoiding impacts to the Sawyer water tower.
- Preventing grading impacts to residences and driveways through Sawyer.
- Maintaining and improving access at 2nd Avenue E in Sawyer by providing a larger storage platform rather than steepening the grade.
- Avoiding impacts on the railroad ROW near the Ward County line.

This alternative would follow the previously described design criteria and have a posted speed limit of 65 mph.

2.4.3 Segment 3 RP 112.51 to RP 116.22

Segment 3 extends from RP 112.51 to RP 116.22, covering 3.71 miles. For most of its length, this segment directly parallels a Canadian Pacific Kansas City (CPKC) rail line located north of the highway, which represents a primary ROW constraint.

In addition, this segment would require raising the grade of US Highway 52 up to 6 feet to address potential flooding concerns. During the 2011 Souris River flood, a portion of US Highway 52 within this segment was overtopped by floodwaters. In response to that historic event, the Souris River Joint Water Resources Board initiated the Mouse River Enhanced Flood Protection Project (MREFPP), a comprehensive, multidecade initiative aimed at protecting communities in the Souris River Basin from future flood events. One of the MREFPP's recommended actions was to raise the grade of US Highway 52 through this segment, a measure that NDDOT has incorporated into the proposed four-lane expansion. Please refer to ***Figure 8, Velva Grade Raise; Figure 9, Alternative B Velva Grade Raise Section; and Figure 10, Alternative C Velva Grade Raise Section*** for the grade raise extents and typical section.

Two build alternatives have been developed for this segment and are described in detail below.

Figure 8, Velva Grade Raise

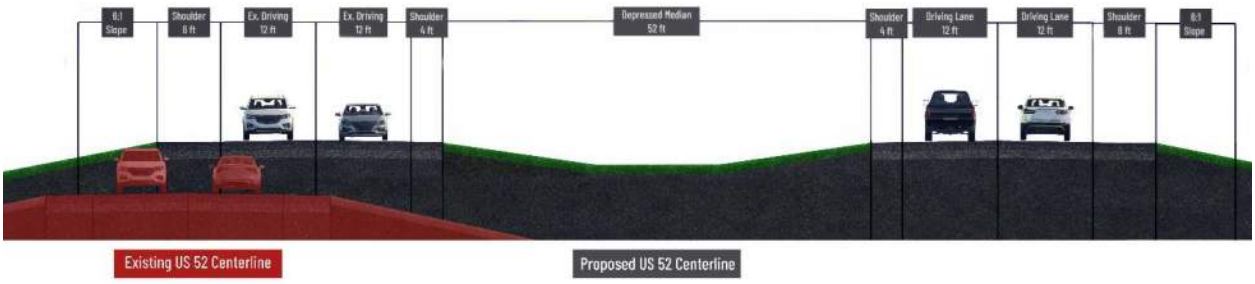


Figure 9, Alternative B Velva Grade Raise Section

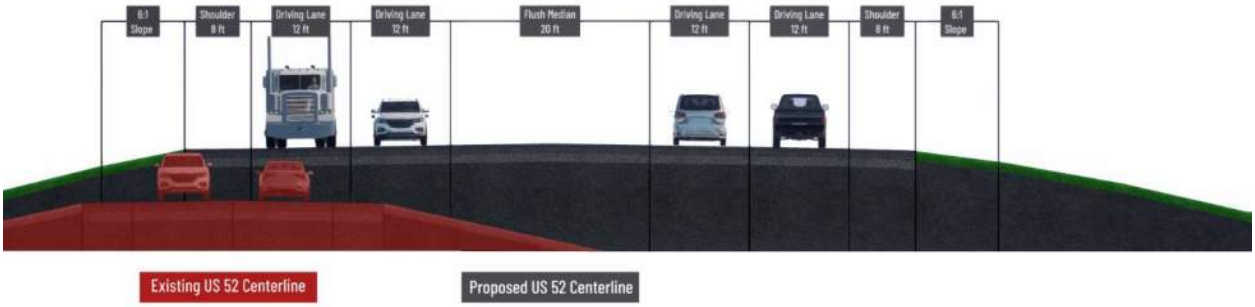


Figure 10, Alternative C Velva Grade Raise Section

2.4.3.1 Alternative B3

Between RP 112.51 and RP 115.00, Alternative B3 would consist of a four-lane roadway with a depressed center median, with expansion occurring to the south of US Highway 52. At RP 115.00, the roadway would start transitioning to a flush center median section to avoid impacts to the Holy Cross Cemetery. The CPKC rail line parallels much of this segment on the north side, limiting expansion in that direction; however, near the Holy Cross Cemetery the rail line shifts away from the highway. In this location, the roadway centerline would be shifted slightly to the north to minimize encroachment on the cemetery before returning to the existing centerline prior to entering Velva.

Under this alternative, the existing roadway alignment would be used to carry two lanes of westbound traffic, while a new two-lane facility would be constructed to the south to accommodate eastbound traffic. As previously noted, this alternative includes raising the roadway grade by up to 6 feet to reduce the risk of overtopping during extreme flood events. Shoulders and inslopes along the existing roadway would be upgraded to meet current design standards. This alternative would follow the previously described design criteria and have a posted speed limit of 70 mph for the depressed median until RP 115 where the speed limit would reduce to 50 mph and then reduce to 40 mph as the segment enters Velva.

2.4.3.2 Alternative C3

Alternative C3 consists of a four-lane roadway with a flush paved center median, with expansion occurring to the south of US Highway 52. Similar to Alternative B3, this alternative includes raising the roadway grade by up to 6 feet to reduce the risk of overtopping during extreme flood events. Two new eastbound lanes and the flush median would be constructed south of the existing roadway, requiring a centerline shift of approximately 16 feet prior to the grade raise and 36 feet throughout the portions of the grade raise that parallel the CPKC rail line. The CPKC rail line parallels much of this segment on the north side, limiting expansion in that direction; however, near the Holy Cross Cemetery the rail line shifts away from the highway. In this location, the roadway centerline would be shifted slightly to the north to minimize encroachment on the cemetery before returning to the existing centerline prior to entering Velva.

The existing roadway would continue to carry westbound traffic. Shoulders and inslopes along the existing roadway would be upgraded to meet current design standards. This alternative would follow the previously described design criteria and have a posted speed limit of 65 mph for the flush median until RP 115 where the speed limit would reduce to 50 mph and then reduce to 40 mph as the segment enters Velva.

2.4.4 Segment 4 RP 116.22 to RP 117.53

Segment 4 extends from RP 116.22 to RP 117.53, a total length of 1.31 miles. This segment passes through the city of Velva and is the only urban portion of the project corridor, as well as the only segment with reduced speed limits. The current roadway configuration for this segment includes curb and gutter with two 12-foot-wide driving lanes separated by a 14-foot-wide paved center median that functions as a shared two-way left-turn lane, and 8-foot outside shoulders. The corridor is closely bordered by businesses and residences on both sides of the highway. Implementing a depressed median alternative in this area would require additional ROW acquisition and likely result in the relocation of adjacent properties. Due to these constraints, the depressed median alternative was determined not to be feasible for Segment 4 and was eliminated from further consideration. As a result, only one build alternative is being carried forward for this segment, along with one optional work item.

2.4.4.1 Alternative C4

Alternative C4 consists of a four-lane roadway with a flush paved center median. As shown in ***Figure 11, Velva Typical Section***, the typical section would include two 12-foot driving lanes in each direction, separated by a 12-foot paved median functioning as a two-way left-turn lane. The corridor would be designed as an urban section with curb and gutter and stormwater drainage improvements. Under this alternative, the posted speed limit would be 40 mph within the city of Velva. At RP 117.00, the speed limit would increase to 50 mph before transitioning to match the Segment 5 design speed at the east end of Segment 4.

The existing roadway includes an eastbound right-turn lane at Verendrye Electric, an eastbound right-turn lane at ND Highway 41, and a westbound right-turn lane at ND Highway 41. Under Alternative C4, these turn lanes would be removed due to the addition of a continuous travel lane in each direction.

The intersection of US Highway 52 and ND Highway 41 currently does not have a dedicated right-turn lane along the southbound leg of ND Highway 41; however, the existing approach is wide enough to function as a right-turn lane onto US Highway 52. This movement has the highest right-turn volume at the intersection. Although a dedicated right-turn lane was not evaluated in the traffic operations report, it will be added based on engineering judgement to clarify lane assignments and improve intersection operations.

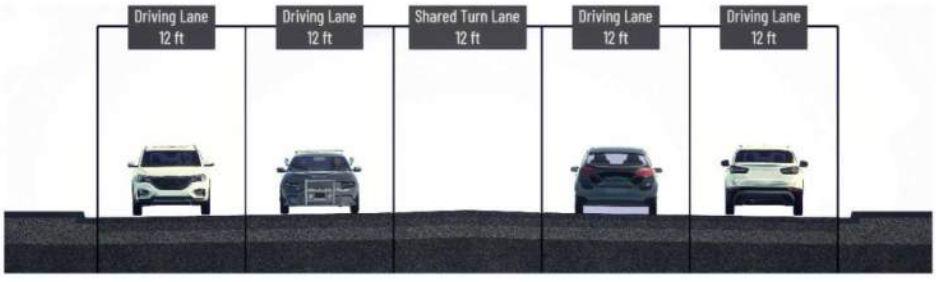


Figure 11, Velva Typical Section

The current pedestrian crossing consists of a marked pedestrian crossing at the intersection. Alternative C4 would improve pedestrian safety at the US Highway 52 and ND Highway 41 intersection by installing an enhanced crosswalk with a rectangular rapid-flashing beacon and advanced signing. Please refer to ***Figure 12, Crosswalk Intersection in Velva.*** Due to haul route height restrictions along US Highway 52, a high-intensity activated crosswalk signal or pedestrian hybrid beacon cannot be used. To further enhance safety, a 6-foot pedestrian refuge median would be added on the east side of the intersection, paired with a 6-foot gore area on the opposite side to accommodate additional post-mounted flashing beacons. Although current pedestrian and traffic volumes do not warrant such a crossing improvement, this treatment is recommended based on engineering judgement to improve safety and visibility of pedestrians.

Figure 12, Crosswalk Intersection in Velva

2.4.5 Segment 4 Design Option

Segment 4 is the only urban roadway segment along the project corridor and the only segment with existing pedestrian facilities. Currently, pedestrian accommodations are limited to a sidewalk along the east side of ND Highway 41, located both north and south of the US Highway 52 intersection, with a marked pedestrian crossing at the intersection. To enhance pedestrian connectivity and safety, one design option is under consideration for this segment. The option could be selected in combination with or separate from Alternative C4.

2.4.5.1 Option V-1: 10-foot Shared-Use Path

Option V-1 in Segment 4 would provide a continuous 10-foot-wide shared-use path along the north side of US Highway 52 through Velva, extending from approximately RP 116.15 to ND Highway 41. Please refer to ***Figure 13, Velva Shared Use Path***. The path would be constructed along the outside edge of the highway ROW, creating separation from the roadway and allowing space for snow storage within the median. Snow removal and ongoing maintenance responsibilities would reside with the City of Velva. This option would establish a dedicated facility for both pedestrians and bicyclists, improving multimodal access within the community.

Figure 13, Velva Shared Use Path

2.4.6 Segment 5 RP 117.53 to RP 120.65

Segment 5 extends from RP 117.53 to RP 120.65, a total length of 3.12 miles. Multiple constraints are present along the south side of the corridor, including a farm equipment dealership, identified cultural resource sites, and an electrical substation. These constraints significantly limit opportunities for roadway expansion to the south.

The eastern end of Segment 5 terminates at an existing at-grade railroad spur crossing. Please refer to ***Figure 14, At-Grade Railroad Spur Crossing***. The at-grade railroad spur crossing is used to transport a low volume of trains to CF Industries and ADM. Future improvements, including the installation of acceleration and deceleration lanes, are planned at this crossing location as part of a separate NDDOT project (Project Control Number [PCN] 23404). It is anticipated that these improvements will be completed prior to construction of this four-lane project. Section 130 Rail Safety Funds are being used for the at-grade crossing. Railroad flagging and Railroad Protective Liability Insurance would be required for any work done within 25 feet of the crossing.

Two build alternatives have been developed for this segment and are described in detail below.

Figure 14, At-Grade Railroad Spur Crossing

2.4.6.1 Alternative B5

Alternative B5 consists of a four-lane roadway with a depressed center median, with expansion occurring to the north of US Highway 52 for the majority of the segment. As noted previously, the presence of a farm equipment dealership, cultural resource sites, and an electrical substation along the south side of the corridor precludes expansion in that direction for a depressed median alternative. The depressed center median will transition from expansion to the north to a full reconstruct centered on the roadway to allow the depressed center median to fit between the railroad switches at the railroad crossing. Where the segment expands to the north, two new westbound lanes would be constructed north of the existing roadway, which would continue to carry eastbound traffic. Shoulders and inslopes along the existing roadway would be upgraded to meet current design standards. This alternative would follow the previously described design criteria and include a posted speed limit of 70 mph.

2.4.6.2 Alternative C5

Alternative C5 consists of a four-lane roadway with a flush paved center median. Under this alternative, the existing roadway would be widened equally to both the north and south to accommodate the additional lanes and center median. Shoulders and inslopes would be upgraded to meet current design standards, and the roadway would follow the previously described design criteria with a posted speed limit of 65 mph. This alternative would also tie into the planned improvements at the railroad crossing near RP 120.65, which are planned to be installed under a separate NDDOT project (PCN 23404).

2.4.7 Segment 6 RP 120.65 to RP 123.00

Segment 6 extends from RP 120.65 to RP 123.00 and is 2.35 miles long. Key constraints along this segment include reduced ROW near the community of Voltaire due to the presence of a grain elevator on the north side of the highway and multiple residential properties to the south.

Two build alternatives have been developed for this segment and are described in detail below.

2.4.7.1 Alternative B6

Alternative B6 consists of a four-lane roadway with a depressed center median with a full reconstruct centered on the existing roadway through the railroad crossing transitioning to a flush center median. The transition from depressed center median to flush center median would start approximately 3,000 feet west of the intersection of US Highway 52 and Main Street in Voltaire. The transition from depressed to flush is due to constraints with the grain elevator to the north of US Highway 52 and residential properties to the south of US Highway 52. At the east end of Segment 6, an existing eastbound passing lane begins at RP 123.0. To ensure a proper transition between roadway sections, the proposed four-lane typical section would end at approximately RP 122.0, and the existing eastbound passing lane would be extended approximately 1 mile to the west to tie into the four-lane section. Roadway shoulders and inslopes would be improved to meet current design standards. This alternative would follow the previously described design criteria and include a posted speed limit of 70 mph for the depressed center median and 65 mph for the flush center median.

2.4.7.2 Alternative C6

Alternative C6 consists of a four-lane roadway with a flush paved center median. Under this alternative, the existing roadway would be widened evenly to both sides to accommodate the additional lanes and center median. At the east end of Segment 6, an existing eastbound passing lane begins at RP 123.0. To ensure a proper transition between roadway sections, the proposed four-lane typical section would end at approximately RP 122.0, and the existing eastbound passing lane would be extended approximately 1 mile to the west to tie into the four-lane section.

As part of a separate NDDOT project (PCN 23404), acceleration and deceleration lanes are proposed at the railroad crossing at RP 120.65. These improvements are anticipated to be completed prior to

construction of this four-lane expansion. The flush median section for Alternative C6 would tie into the existing widened pavement at this location.

As part of the expansion, shoulders and inslopes would be upgraded to meet current design standards. This alternative would follow the previously described design criteria and have a posted speed limit of 65 mph.

2.5 Roadway Design

The build alternatives would ensure all vertical curves, horizontal curves, and superelevation would meet the minimum requirements established by the American Association of State Highway and Transportation Officials and the NDDOT for the applicable design speed. New signs and pavement markings would be designed and installed in accordance with the current Manual on Uniform Traffic Control Devices (MUTCD) and NDDOT standards. Installation would occur at the appropriate locations within the roadway ROW. Access points along the corridor would be modified or installed where necessary to meet design and operational needs.

Inslopes would be constructed at a 6:1 slope until reaching the clear zone, transitioning to 4:1 or steeper in areas where site conditions present constraints. Shoulders and inslopes of the existing roadway would be improved except in locations where such improvements would result in undesirable impacts.

As required by the NDDOT Design Guidelines, safety hardware would be upgraded to comply with the Manual for Assessing Safety Hardware performance criteria. Guardrail is currently present at several locations along the project corridor. The need for guardrail would be eliminated in most areas; however, guardrail may be replaced at select locations to minimize project-related impacts.

2.5.1 Lighting and Intelligent Transportation System (ITS) Technology

Destination lighting and illumination lighting are currently located along the project corridor and would be impacted by the proposed alternatives. Impacted destination and illumination lighting would be removed and replaced with permanent light-emitting diode (LED) fixtures. Replacement lighting would be designed to provide approximately the same intensity as the existing lighting and would be updated from one light to two at the same location, one on either side of US Highway 52. ***Table 2, Lighting Summary***, provides a breakdown of lighting location, lighting type, and the proposed impact solution.

Table 2, Lighting Summary

Location	Segment	Lighting Type	Impact Solution
US Highway 52 and CR 19	Segment 1	Destination	No Impact
US Highway 52 and CR 16/79th Ave SE	Segment 1	Destination	Remove and Replace
US Highway 52 and CR 23/Central Ave	Segment 2	Destination	Remove and Replace
US Highway 52 and 2nd Ave E	Segment 2	Destination	Remove and Replace
US Highway 52 in Velva	Segment 4	Illumination	Remove and Replace
US Highway 52 and 14th St NE	Segment 5	Destination	Remove and Replace
US Highway 52 and 12th Ave N	Segment 6	Destination	Remove and Replace

One piece of ITS technology, a camera and infrared illuminator mounted on a steel pole, is located in Segment 1 at RP 102.7 and would be impacted by the proposed alternatives. The technology was installed in 2024 as part of the NDDOT Automatic Traffic Recorder and Weigh-In-Motion Maintenance project (PCN 23887). The camera and infrared illuminator would be removed and relocated.

2.5.2 Hydraulics and Hydrology

Existing drainage structures would be extended, repaired, or replaced as necessary, while new drainage structures would be installed to preserve existing drainage patterns throughout the corridor. In Ward County, the project would impact 31 centerline pipes and eight structures, while in McHenry County, 47

centerline pipes and three structures would be affected. In addition, the majority of approach pipes along the corridor would be replaced as part of the project. A preliminary hydraulics and hydrology analysis was completed, analyzing the structures and roadway centerline culverts. Details of the analysis can be found in the ***Hydrologic and Hydraulic Technical Memorandums*** (appended by reference).

2.6 Construction

Roadway construction would include grading, subgrade work, reconstruction, shoulder improvements, paving, vegetation removal, soil excavation, structures, and lighting. Heavy equipment used during construction may include, but is not limited to, front-end loaders, bulldozers, scrapers, motor graders, backhoes, trucks, pavers, rollers, and ready-mix trucks. Construction is anticipated to occur primarily during daylight hours; however, additional hours may be required to meet the project schedule. Temporary light plants may be used for early morning or evening construction lighting.

Traffic control during construction would follow the requirements of the currently adopted MUTCD and Traffic Control Requirements for NDDOT Operations on Highways and Streets. Two-way traffic would be maintained for the majority of construction, with temporary single-lane closures and flaggers used during milling and paving operations. During non-construction hours, the roadway would remain open to two-way traffic unless construction operations do not permit, in which case pilot cars and flaggers would be used to guide vehicles as needed.

Existing roadway segments would be milled and paved in halves using temporary lane closures with flaggers and pilot cars. Access to all residential dwellings and business establishments would be maintained at all times. Temporary mailboxes may be used as necessary during construction. Temporary bypasses or shoring with concrete barriers may be used as needed to accommodate large hydraulic structure improvements.

Temporary and permanent erosion and sediment control measures would be installed in accordance with a Storm Water Pollution Prevention Plan (SWPPP). These measures may include silt fence, fiber rolls, berms, inlet protection, mulch, vegetation, erosion control blankets, and other best management practices (BMPs). Staging areas would, to the extent practicable, be located within the study area footprint. Any additional areas outside the study area would require additional environmental review.

The two alternatives, depressed center median and flush center median, would be constructed as detailed below.

2.6.1 Construction of Depressed Center Median Alternatives

During construction of the depressed median alternatives, traffic would remain on the existing US Highway 52 roadway, resulting in minimal disruption to the traveling public. Once the new two-lane facility is completed, traffic would be temporarily shifted from the existing roadway to the newly constructed lanes. This shift would allow the contractor to complete necessary improvements to the existing roadway without operating under live traffic conditions. Please refer to ***Figure 15, Rendering of Depressed Median Construction***.

Figure 15, Rendering of Depressed Median Construction

2.6.2 Construction of Flush Center Median Alternatives

Under the flush center median alternative with expansion equally to both sides, shoulder closures would be necessary to complete pipe extensions and roadway widening. Temporary lane closures with flaggers and pilot car operations would be implemented during milling and paving activities. Construction would begin on one half of the roadway, which would be widened to accommodate two-way traffic. Once construction on that half is complete, traffic would be shifted, and work would proceed on the remaining portion of the roadway. Please refer to ***Figure 16, Rendering of Flush Median Construction - Expansion to Both Sides***.

Figure 16, Rendering of Flush Median Construction - Expansion to Both Sides

Under the flush center median alternative with a shifted centerline and expansion only to the south, shoulder closures would also be required for pipe extensions, roadway widening, and paving. In this case, traffic would be temporarily shifted onto the newly constructed southern portion of the roadway while the existing roadway is reconstructed, effectively shifting the roadway crown to the south. Please refer to ***Figure 17, Rendering of Flush Median Construction - Expansion to South Only***.

Figure 17, Rendering of Flush Median Construction - Expansion to South Only

2.6.3 Construction of Four Lanes Through Velva

Construction through Velva would utilize shoulder closures and lane shifts, including the use of channelization devices, to remove the existing curb and gutter and to place aggregate base on half of the roadway. Once the aggregate base is placed on half of the roadway, traffic would be temporarily shifted to the newly placed aggregate surface while the other remaining half is constructed. Paving operations would require additional lane closures and the use of flaggers and a pilot car. New curb inlets and storm sewer would be installed between removals and placement of the new aggregate base. Temporary storm sewer connections would be made to maintain drainage during construction.

2.7 Right-of-Way Impacts

The amount of existing ROW along the corridor is variable. When US Highway 52 was originally constructed in the 1960s, the NDDOT acquired approximately 120 to 926 feet of ROW, with the widest ROW primarily located within Ward County. This wider ROW is present south of the existing roadway centerline, generally ranging from approximately 125 to 350 feet from centerline, with an average width of approximately 250 feet within the Ward County portion of the project. The widest ROW is associated with a historic US Highway 52 alignment near 1st Street East in Sawyer. By contrast, through McHenry County the existing roadway is generally centered within the ROW. The ROW widths are reduced through the City of Velva, and no comparable excess ROW exists on the south side.

To minimize the amount of new ROW acquisition required for the project, the design team conducted an extensive geotechnical investigation along the corridor to evaluate soil stability. Based on these findings, project limits were refined by steepening inslopes and backslopes while still maintaining an acceptable factor of safety for slope stability. In areas with deep fill sections, the use of guardrail was incorporated into the design to reduce the extent of grading otherwise needed. This approach further limits ROW impacts by confining construction activities within narrower limits.

Based on the preliminary design of the alternatives, it is anticipated that approximately 92.58 acres to 182.10 acres of additional permanent ROW would be required, depending on the alternative selected. Where construction limits approach or extend beyond the existing ROW, additional ROW would be purchased. A detailed summary of ROW needs for each alternative is provided in ***Table 3, Right-of-Way Impacts.***

Table 3, Right-of-Way Impacts

Segment	Alternative/Option	Temporary Easement (acres)	Permanent ROW (acres)
Segments 1-6	Alternative A	0.0	0.0
Segment 1	Alternative B1	20.5	65.0
	Alternative C1	19.4	33.3
Segment 2	Alternative B2	7.8	26.4
	Alternative C2	1.5	9.9
Segment 3	Alternative B3	6.0	49.1
	Alternative C3	7.7	28.4
Segment 4	Alternative C4 without Option V-1	1.9	1.9
	Alternative C4 with Option V-1	2.0	2.3
	Option V-1 without Alternative C4	0.7	0.4
Segment 5	Alternative B5	4.8	31.0
	Alternative C5	4.0	14.1
Segment 6	Alternative B6	2.4	8.3
	Alternative C6	1.1	6.5

2.8 Cost Summary

A preliminary cost summary was prepared for each alternative under consideration. Please refer to ***Table 4, Cost Summary***.

Table 4, Cost Summary

Segment	Alternative	Preliminary Cost	Cost Per Mile
Segments 1-6	Alternative A	$0	$0
Segment 1	Alternative B1	$94.55 million	$12.17 million
	Alternative C1	$61.20 million	$7.88 million
Segment 2	Alternative B2	$49.85 million	$14.08 million
	Alternative C2	$47.90 million	$13.53 million
Segment 3	Alternative B3	$36.48 million	$9.83 million
	Alternative C3	$33.87 million	$7.63 million
Segment 4	Alternative C4 without Option V-1	$10.93 million	$8.34 million
	Alternative C4 with Option V-1	$11.83 million	$9.03 million
	Option V-1 without Alternative C4	$1.04 million	$1.48 million
Segment 5	Alternative B5	$26.68 million	$8.55 million
	Alternative C5	$21.52 million	$6.90 million
Segment 6	Alternative B6	$12.34 million	$5.25 million
	Alternative C6	$12.08 million	$5.14 million

2.9 Preferred Alternative

The following alternatives have been identified by the NDDOT as preferred for each segment. Please refer to ***Appendix I, Preferred Alternative Recommendation Memo***.

- Segment 1 – Alternative B1: Divided Four-Lane Highway with a Depressed Center Median
- Segment 2 – Alternative B2: Divided Four-Lane Highway with a Depressed Center Median
- Segment 3 – Alternative B3: Divided Four-Lane Highway with a Depressed Center Median
- Segment 4 – Alternative C4: Divided Four-Lane Highway with a Flush Paved Center Median with Option V-1: Shared Use Path
- Segment 5 – Alternative B5: Divided Four-Lane Highway with a Depressed Center Median
- Segment 6 – Alternative B6: Divided Four-Lane Highway with a Depressed Center Median

Chapter 3: Affected Environment and Impacts

This chapter describes the existing conditions within the study area pertaining to the human and natural environment. The existing conditions, also called the affected environment, are the starting point for understanding how the proposed action and no build alternative could cause changes. The study area used for this review is shown in ***Figure 1, Study Area***. Resource agencies and stakeholders were contacted to help determine the baseline conditions. Please refer to ***Chapter 5: Contributors, Public Involvement, and Coordination*** and ***Appendix B, Solicitation of Views Package and Responses***. This chapter explains what the existing environment is like, how the proposed alternatives could affect it, and what steps could be taken to avoid, minimize, or compensate for negative impacts.

3.1 Geology

The north half of the study area parallels the Souris River and is characterized by rolling hills and river breaks topography while the south half of the study area is flatter with less overall relief. Wetlands and waterways are present throughout. The geology of the area was shaped by the last glacial period. The primary feature includes channels carved by glacial meltwater, now occupied by the Souris River, where river, lake, and swamp sediments consisting of clay, sand, silt, gravel and till have been deposited. The project crosses portions of the Bullion Creek, Coleharbor, Oahe, and Cannonball formations.

According to North Dakota Geological Survey (NDGS) maps, there are two historic mapped landslides located within the study area, both along the Souris River breaks area. Please refer to ***Figure 18, Mapped Landslides***. Landslides are a mass movement of rock, earth, or debris down a slope. Due to the presence of these mapped landslides, a geotechnical investigation was undertaken to assess potential risks and implications relative to the proposed project.

To monitor ground movement, two inclinometers (SW-1 and SW-2) were installed in March 2024 near the historic mapped landslide located in Segment 1 (Section 5, T153N, R81W). In September 2025, an additional inclinometer (SW-03) was installed and a soil boring was completed (SW-04). This work was covered under two ***Categorical Exclusion by Definition Checklists for Geotechnical Soil Borings (March 2024 and December 2024)*** (both appended by reference). As of May 2026, readings collected from the three inclinometers show no significant soil movement. Please refer to ***Figure 19, Inclinometer and Geotechnical Boring Locations*** for the inclinometer locations.

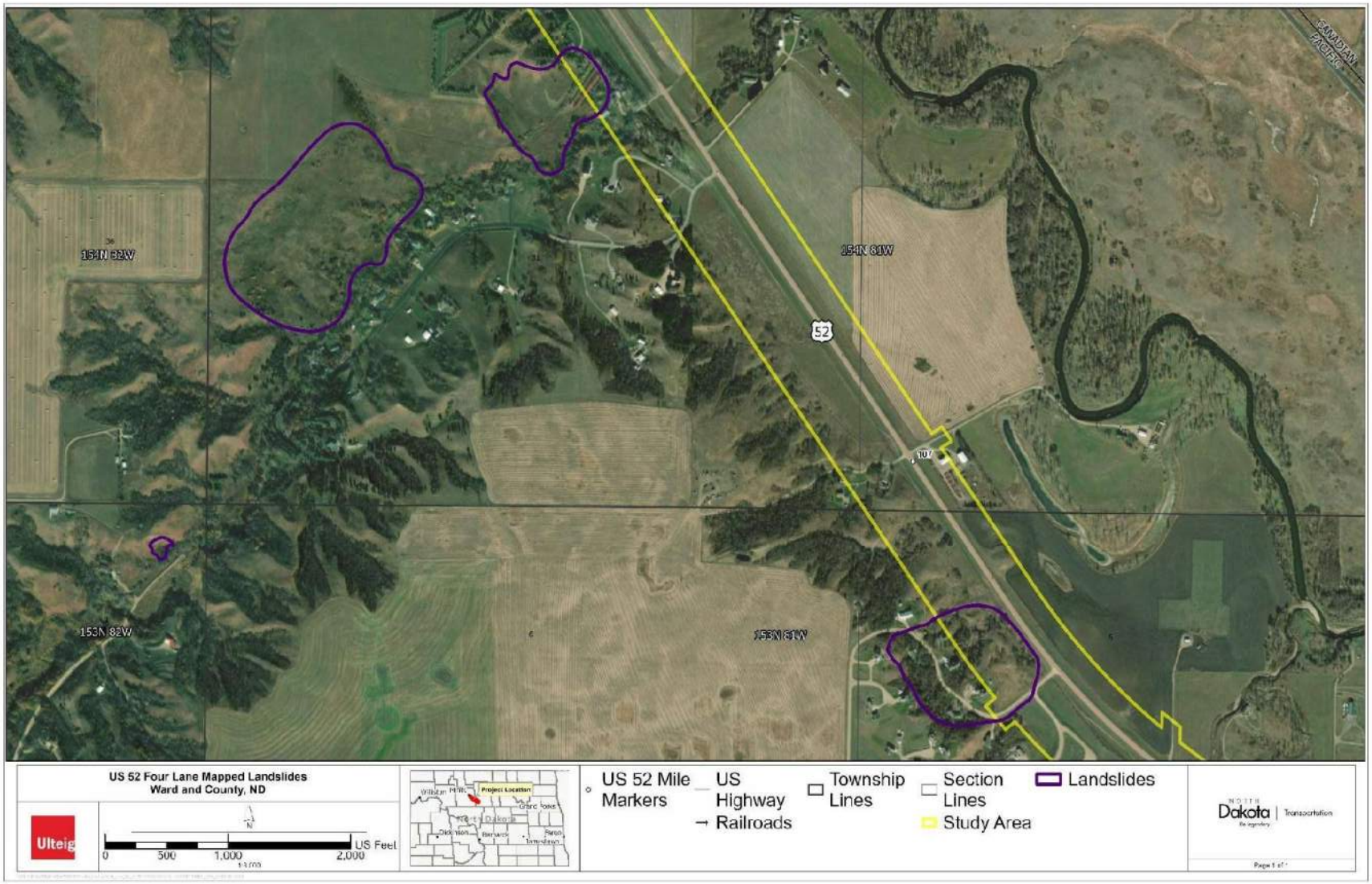


Figure 18, Mapped Landslides

Figure 19, Inclinometer and Geotechnical Boring Locations

The Federal Land Policy and Management Act safeguards scientifically valuable resources on federal lands, including paleontological resources (i.e., fossils). Under the Paleontological Resources Preservation Act, collecting, damaging, and removal of fossils on federal lands is prohibited without an authorized permit. There are no federally owned lands within the study area. Similarly, the North Dakota Century Code (NDCC) 54-17.3 and North Dakota Administrative Code (NDAC) 43-04 prohibit the collection of paleontological resources on state-owned lands unless a permit is obtained. State owned lands within the study area consist of NDDOT roadway ROW.

The occurrence of paleontological resources is typically associated with mapped geologic units (i.e., formations). The Potential Fossil Yield Classification (PFYC) system is derived from these maps and assigns a class value ranging from 1 to 5 to each geologic unit. The higher the value reflects the higher expected abundance and significance of any paleontological resources present within that unit (Smith & Liggett, 2021; BLM, 2016). The NDGS is currently in the process of remapping the PFYC for a large portion of the study area. For the purposes of this document, PFYC classifications for the study area are based on the 1980 Geologic Map of North Dakota (Clayton, 1980). Most of the study area is classified as PFYC 4, with the remainder as PFYC 2 and 3; a small portion is mapped as unknown. Please refer to ***Table 5, PFYC Classes in Study Area; Figure 20, PFYC Class for Geological Formations (East);*** and ***Figure 21, PFYC Class for Geological Formations (West)***.

Table 5, PFYC Classes in Study Area

PFYC Class 1 (acres)	PFYC Class 2 (acres)	PFYC Class 3 (acres)	PFYC Class 4 (acres)	PFYC Class 5 (acres)	Unknown (acres)
0	225.99	630.25	1162.74	0.00	43.04

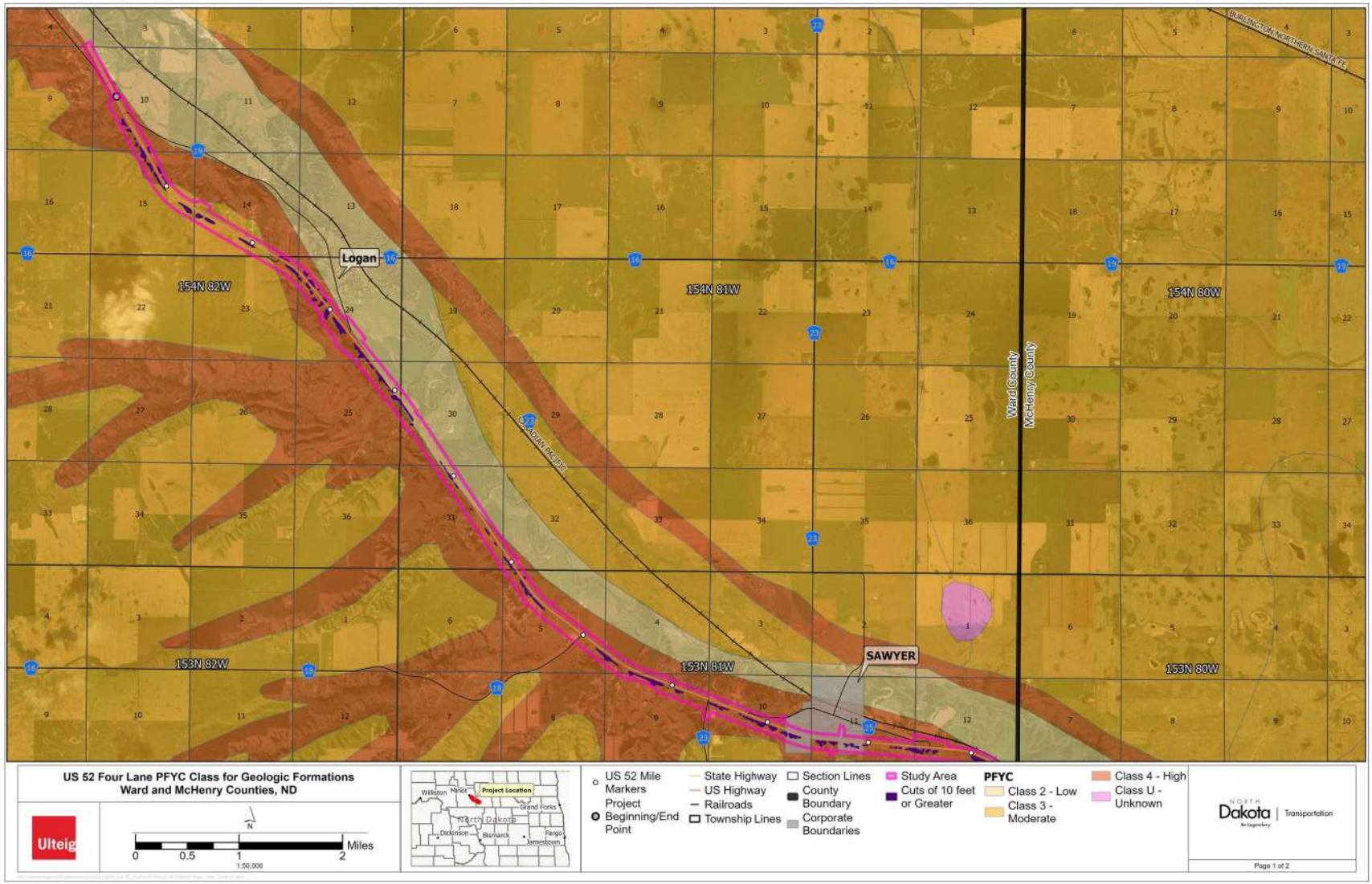


Figure 20, PFYC Class for Geological Formations (East)

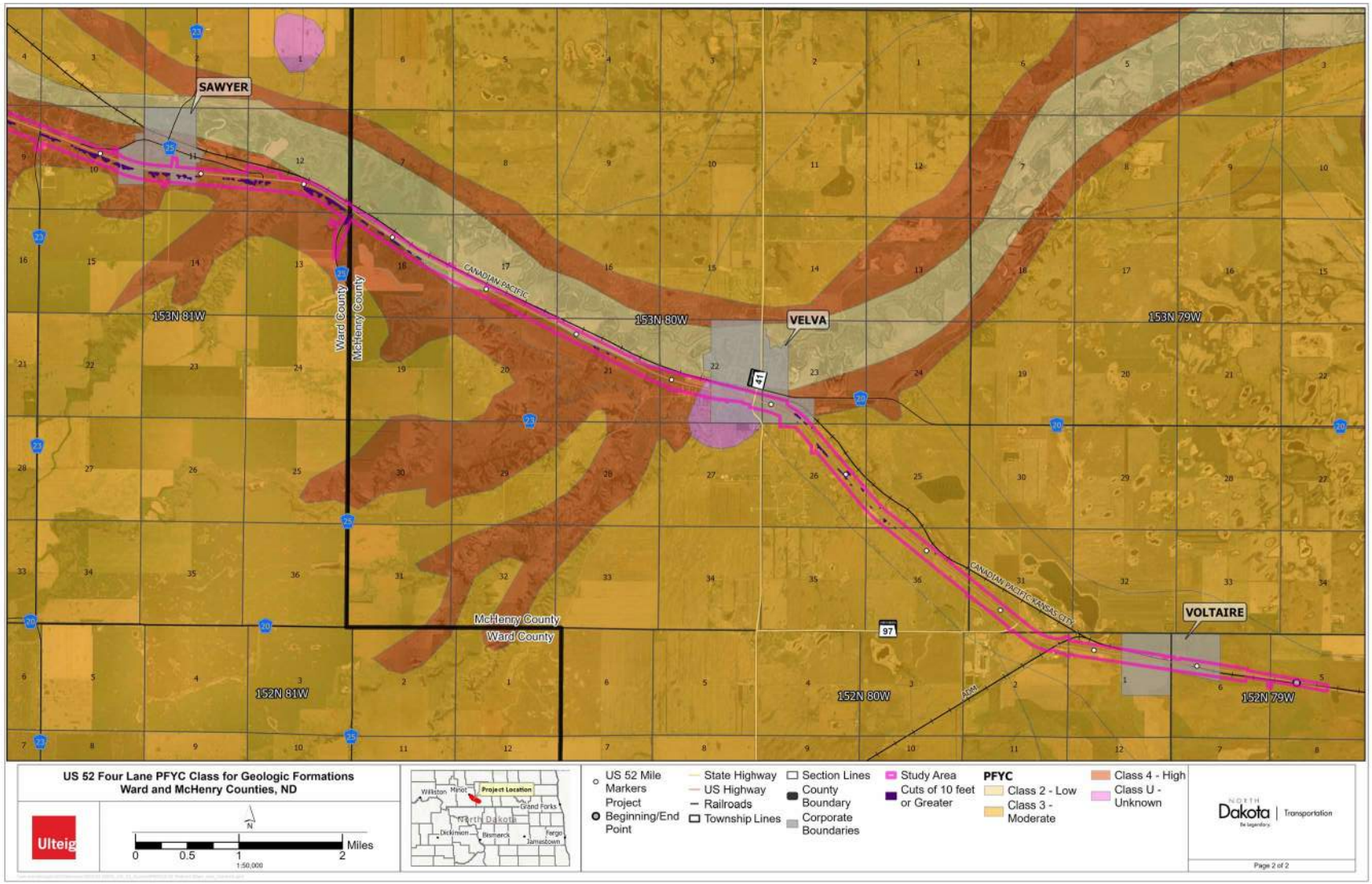


Figure 21, PFYC Class for Geological Formations (West)

3.1.1 Alternative A

Alternative A would not result in impacts to geologic resources as there would be no construction along the project corridor.

3.1.2 Action Alternatives

The proposed action would result in permanent and temporary impacts to the surrounding landscape and terrain due to roadway construction. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have greater permanent earthwork impacts than Alternative C. Option V-1 would result in additional earthwork impacts. Please refer to ***Table 6, Earthwork Impacts.***

Table 6, Earthwork Impacts

Segment	Alternative	Earthwork (acres)		
		Permanent[2]	Temporary[3]	Total
Segment 1-6	Alternative A	0.00	0.00	0.00
Segment 1	Alternative B1	308.18	42.99	351.17
	Alternative C1	262.38	29.89	292.26
Segment 2	Alternative B2	146.18	20.62	166.80
	Alternative C2	109.02	15.34	124.36
Segment 3	Alternative B3	121.62	13.58	135.20
	Alternative C3	103.21	14.10	117.31
Segment 4	Alternative C4 without Option V-1	26.05	2.23	28.28
	Alternative C4 with Option V-1	26.74	4.49	31.23
	Option V-1 without Alternative C4	0.69	2.25	2.94
Segment 5	Alternative B5	107.99	12.36	120.35
	Alternative C5	94.31	12.26	106.57
Segment 6	Alternative B6	41.93	8.07	50.00
	Alternative C6	39.36	8.04	47.40

Preliminary design of the action alternatives identified numerous locations along the project corridor that were subject to deep cut or fills. To reduce the amount of disturbance, steepening inslopes and backslopes were evaluated. A total of 38 locations were identified where slope stability investigations were warranted. However, during environmental review, concerns were raised about access to some sites due to their proximity to cultural resources and Dakota skipper (*Hesperia dacotae*) habitat. Because of these limitations, four sites were eliminated, and 34 sites were approved for investigation through two ***Categorical Exclusion by Definition Checklists for Geotechnical Soil Borings*** (both appended by reference) on March 15, 2024, and December 4, 2024.

The resulting geotechnical borings and a preliminary slope stability analysis were completed in spring 2025. Based on the ***Preliminary Slope Stability Analysis Report*** (appended by reference), inslopes and backslopes were steepened to ratios of up to 2:1 to minimize grading limits and reduce potential impacts along the corridor. Additionally, to reduce creating moisture laden sediments that could increase landslides and erosion, culverts would be installed as necessary in order to maintain existing drainage patterns. During final design, soil conditions near the historically mapped landslide in Segment 1 will be

[2] Permanent earthwork impacts were calculated based on grading limits.

[3] Temporary earthwork impacts were calculated based on a 15-foot buffer around permanent impacts (i.e., grading limits).

reassessed. The design will incorporate appropriate measures to ensure long-term performance of the highway and associated access points.

Due to the mid- to high- probability of paleontological resources occurring within portions of the study area, the action alternatives have the potential to impact fossils during construction activities. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have slightly more potential to impact paleontological resources during construction than Alternative C due to a larger construction footprint. Option V-1 would result in additional potential to impact paleontological resources during construction due to additional construction footprint (see ***Table 6, Earthwork Impacts***).

Paleontological monitoring would occur during construction in high potential areas (i.e., PFYC Class 4 and 5) where cuts are greater than 10 feet deep. These monitoring areas would span approximately 56.58 acres; the areas to be monitored would be reassessed during final design using the most current PFYC dataset available from NDGS. A collection permit from NDGS is not required for inadvertent discovery.

The proposed action would not result in significant impacts on geological resources due to adherence to roadway design standards, slope stability analysis, the installation of monitoring instruments and culverts, and paleontological monitoring during construction (as required).

3.2 Soils

Ward and McHenry Counties are both predominantly cropland and rangeland/pasture, making soils an important natural resource in the region. Soils support a mix of crop production, providing an important growing medium, and provide valuable grazing land for livestock. Variations in soil types, such as the differences in structure, strength, elasticity, erosion potential, and shrink-swell potential, directly influence their suitability to support certain applications or uses. The majority of soils identified within the study area are categorized as well drained and moderately well drained with moderate permeability (USDA & NRCS, 2024).

3.2.1 Alternative A

Alternative A would not result in impacts to soils as there would be no construction along the project corridor.

3.2.2 Action Alternatives

The proposed action would involve expanding an existing paved roadway, increasing the extent of impervious surfaces, which are areas where water cannot infiltrate the soil. Option V-1 would involve creating a paved shared use path and would also increase the extent of impervious surfaces. These surfaces can lead to greater volumes and faster movement of stormwater runoff, potentially contributing to soil erosion and sediment deposition in surrounding areas. Apart from Segment 4, where Alternative C is the only action alternative, Alternative C would have a greater net additional impervious surface area than Alternative B. In Segment 4, Alternative C4 and/or Option V-1 would result in additional area of impervious surface. Please refer to ***Table 7, Net Additional Impervious Surface Area***.

The potential impacts of increased stormwater runoff would be offset by the presence of well-drained to moderately well-drained, moderately permeable soils throughout the study area. Additionally, areas not occupied by the roadway would remain vegetated, helping to absorb water and reduce runoff.

Table 7, Net Additional Impervious Surface Area

Segment	Alternative	New Impervious Surface Area (acres)
Segment 1-6	Alternative A	0.00
Segment 1	Alternative B1	34.18
	Alternative C1	36.51
Segment 2	Alternative B2	21.17
	Alternative C2	22.06
Segment 3	Alternative B3	14.10
	Alternative C3	15.54
Segment 4	Alternative C4 without Option V-1	3.62
	Alternative C4 with Option V-1	4.38
	Option V-1 without Alternative C4	0.76
Segment 5	Alternative B5	15.43
	Alternative C5	18.25
Segment 6	Alternative B6	6.12
	Alternative C6	6.58

Construction activities would cause disturbances to soils. Vegetation removal may expose soils to erosion and increase sediment transport during stormwater events. The operation of heavy machinery could compact soils, reducing their permeability and infiltration capacity, which may lead to elevated runoff and sediment movement. Construction contractors would be required to obtain coverage under the National Pollution Discharge Elimination System (NPDES) permit and prepare a Stormwater Pollution Prevention Plan (SWPPP). As part of the NPDES permit requirements, the contractor would develop and implement erosion and sediment control measures during construction. To minimize potential impacts to soil and water resources, BMPs, such as sediment dams or berms, diversion dikes, fiber roll erosion checks, riprap, and erosion control blankets, would be installed and maintained in accordance with the SWPPP.

Additionally, there is a potential risk of soil contamination from spills or leaks of fuel, oil, or other fluids. To mitigate this risk, a Spill Prevention, Control, and Countermeasure (SPCC) plan would be developed to minimize the likelihood of spills and provide clear procedures for containment and cleanup in the event of an incident.

The proposed action would not have a significant impact on soils due to the implementation of a SWPPP, BMPs, SPCC plan and NPDES permit, and would not have a significant impact on soil permeability due to the amount of well-drained and moderately well drained, and moderately permeable soils adjacent to the new roadway, and vegetated non-roadway surfaces.

3.3 Land Use

Land use within the study area consists largely of grasslands, followed by developed lands, pasture/hayland, and cropland. Developed lands within the study area consist of rural residences, roadways, small businesses, the City of Sawyer, City of Velva, City of Logan, and City of Voltaire. Please refer to ***Table 8, Land Use in Study Area*** and ***Figure 22, Land Use.***

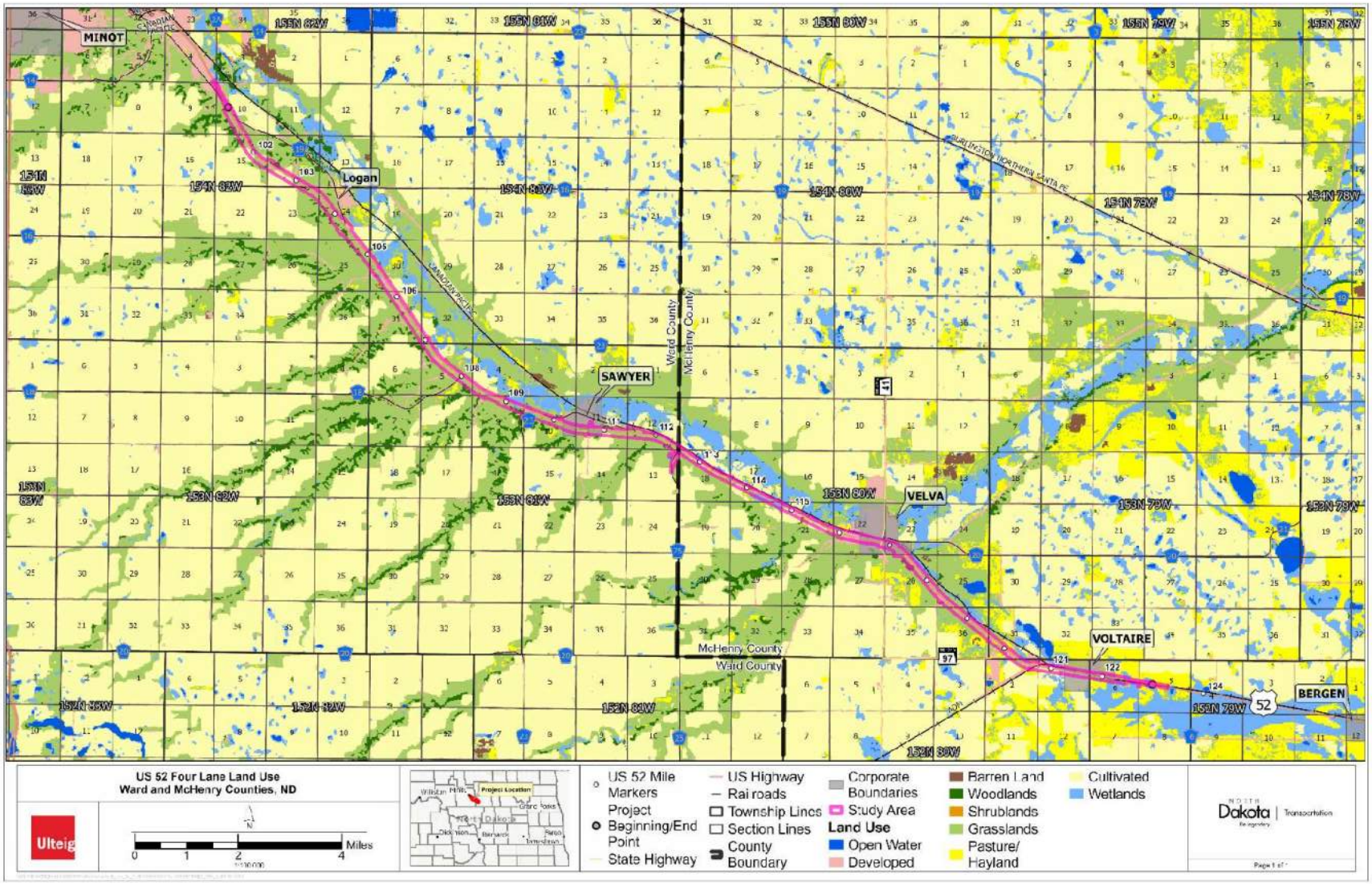


Figure 22, Land Use

Table 8, Land Use in Study Area

Land Use	Acres
Barren	8.79
Cultivated	161.95
Developed	861.83
Grasslands	827.85
Wetlands	77.22
Open Water	0.00
Shrublands	0.56
Woodlands	50.25
Pasture/Hayland	73.6
Total	**2,062.05**

Source: (USDA/NASS, 2024)

Federal agencies that manage land within the study area include USACE and United States Fish and Wildlife Service (USFWS). A USACE-managed flood protection levee surrounds the community of Velva (see ***3.9, Floodplain***). There are four USFWS wetland conservation easements that occur within Segments 5 and 6 on both the north and south sides of US Highway 52. USFWS wetland conservation easements are permanent legal agreements that protect wetlands on private land by prohibiting activities such as draining, filling, leveling, or burning. These easements remain in effect regardless of land ownership changes and are intended to preserve wetland habitat (see ***3.7, Wetlands and Other Waters***). There are no state managed lands within the study area other than NDDOT roadway ROW.

Several land use planning, transportation improvement, and local, regional, and state planning documents apply to the study area that provide land use direction:

- **2025-2028 North Dakota Statewide Transportation Improvement Program (STIP)**: Identifies numerous preventative maintenance projects within the study area (NDDOT, 2025).
- **Ward County Comprehensive Plan 2019**: Addresses county demographics, economy, housing, natural resources, infrastructure, and land use (Ward County, 2019a).
- **Ward County Transportation Plan**: Evaluates transportation needs and opportunities. Two focus areas are adjacent or within the study area: the Ward County Connector Corridor, a large project that would extend around the city of Minot and terminate northwest of Logan, and County Road 23 that extends through Sawyer (Ward County, 2019b).
- **Ward County Zoning Ordinances**: Applies within county boundaries, with the City of Sawyer maintaining its own zoning authority. Zoning districts in the study area include Agricultural Production, Highway Commercial, Rural Residential, and Residential Transition (Ward County, 2025; City of Sawyer, n.d.).
- **Ward County Floodplain Zoning Ordinance**: Applies within county boundaries, with the City of Sawyer maintaining authority within city boundaries and its extraterritorial area. Portions of the study area occur within regulated floodplains (Ward County, 2013; City of Sawyer, n.d.).
- **McHenry County Comprehensive Plan 2015-2035**: Identifies growth areas, including an existing community growth node around the City of Velva and a rural growth node west of Voltaire near US Highway 52 and ND Highway 97 (SRF Consulting Group, Inc., 2015).
- **McHenry County North Dakota Zoning Regulations**: Applies countywide. The City of Voltaire relies on county zoning regulations, while the City of Velva administers its own zoning authority (McHenry County, 2016; City of Velva, n.d.-b).

- **McHenry County Floodplain Ordinance**: Applies countywide. The City of Velva maintains authority within city boundaries and its extraterritorial area. The study area includes portions of regulated floodplains (McHenry County, 2016; City of Velva, n.d.-a).
- **2023-2027 North Dakota State Comprehensive Outdoor Recreation Plan (SCORP)**: Identifies the study area as part of Region Two, where recreation needs focus on campgrounds, non-motorized trails, and parks/natural areas (NDPRD & Clearwater Communications, n.d.).

3.3.1 Alternative A

Alternative A would not result in ROW acquisition or impacts on land use as there would be no construction along the project corridor. Local, state, and regional transportation and land use plans would continue as planned.

3.3.2 Action Alternatives

The proposed action would result in permanent land use changes due to roadway construction and acquisition of new transportation ROW. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have greater ROW acquisition and overall impacts on land use than Alternative C. Option V-1 would result in additional ROW acquisition and impacts on land use (see ***Table 3, Right-of-Way Impacts***). Acquisition of ROW would primarily occur in linear strips parallel to the existing roadway corridor, in addition to block areas where necessary. Construction activities would require acquisition of temporary construction easements for land grading, stockpiling, access, and/or staging activities. These areas would be reclaimed following construction. Please refer to ***Table 9, Land Use Impacts***.

Table 9, Land Use Impacts

Land Use	Land Use Impacts (acres)													
	Seg 1-6	Seg 1		Seg 2		Seg 3		Seg 4			Seg 5		Seg 6	
	Alt A	Alt B1	Alt C1	Alt B2	Alt C2	Alt B3	Alt C3	Alt C4 without Option V-1	Alt C4 with Option V-1	Option V-1 without Alt C4	Alt B5	Alt C5	Alt B6	Alt C6
Barren	0.00	0.00	0.00	1.03	0.38	0.00	0.00	0.00	0.00	0.00	0.81	1.08	0.00	0.00
Cultivated	0.00	12.42	12.93	0.58	0.59	17.56	12.55	0.00	0.00	0.00	0.00	0.00	8.69	7.20
Developed	0.00	245.02	248.74	87.43	80.60	100.32	99.86	32.26	32.94	0.69	98.55	93.24	48.68	47.72
Grasslands	0.00	182.55	148.39	125.59	108.08	18.85	14.55	4.02	4.02	0.00	38.51	24.36	0.00	0.00
Wetlands	0.00	0.33	0.25	4.50	4.06	11.55	8.36	0.00	0.00	0.00	4.49	2.43	4.39	4.06
Open Water	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Shrublands	0.00	0.32	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Woodlands	0.00	13.08	9.00	4.72	3.96	0.36	0.25	0.20	0.20	0.00	0.00	0.00	0.00	0.00
Pasture/ Hayland	0.00	2.18	2.42	0.71	0.71	6.97	5.26	0.00	0.00	0.00	4.13	3.11	4.88	4.69

All land acquisitions would follow the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), as amended. Under the Uniform Act, public agencies must provide fair compensation, follow due process, and ensure that property owners are treated equitably. Landowners would be compensated for acquired property in accordance with federal standards.

The proposed action would be consistent with local, regional and state transportation plans. The project would coordinate design limits, schedules, and traffic control sequencing with NDDOT programming to

ensure compatibility with planned preventative maintenance activities. The proposed action would support Ward and McHenry Counties' comprehensive plan's infrastructure goals, such as Connector Corridor, CR 23 corridor through Sawyer, existing growth node in Velva, and rural growth node near US Highway 52 and ND Highway 97. The proposed action would create a more efficient roadway, maintain reliable rural connections to larger communities, and support economic activity and growth in alignment with Ward and McHenry Counties' future land use plans and goals. Option V-1 would positively contribute to the ND SCORP by creating a non-motorized trail for bicyclists and pedestrians.

The proposed action would not have a significant impact on land use due to reclamation of temporarily impacted areas, adherence with the transportation and land use planning documents, adherence to the Uniform Act, and maintaining access to developed areas during construction.

3.4 Farmland

The Farmland Protection Policy Act of 1981 (FPPA) provides protection to prime farmland, unique farmland, and farmland of statewide importance that may be converted as a result of federal actions. Prime farmland is land with the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops. It may include cultivated land, pastureland, forestland, or other land but does not include land already in or committed to urban development. Unique farmland is land other than prime farmland that is used for production of specific high-value food and fiber crops. Farmland of statewide importance is identified by state or local agencies as important for producing food, feed, fiber, forage, or oilseed crops but does not qualify as prime or unique.

There are approximately 837.42 acres of prime farmland and 13.38 acres of farmland of statewide importance within the study area. No unique farmland is present within the study area. Please refer to ***Figure 23, Prime and Unique Farmland***.

The Natural Resource Conservation Service (NRCS) oversees compliance with the FPPA. For projects that have a linear- or corridor- type configuration connecting two distant points and crossing several different tracts of land, a *Farmland Conversion Impact Rating for Corridor Type Projects* (i.e., NRCS-CPA-106 form) is required to determine impacts on farmland in coordination with NRCS. The form assigns a ranked score based on a variety of factors, including the total number of acres of prime or unique farmland, the percentage of the corridor currently in agricultural use, and the amount of on-farm investments and corridor compatibility with ongoing agricultural operations. A score of up to 260 can be received, where the higher the score indicates the greater the impact on farmland. Scores below 160 indicate the project need not be given further consideration, while scores greater than 160 should be evaluated further to reduce conversion of farmland.

3.4.1 Alternative A

Alternative A would not result in impacts to farmland as there would be no construction along the project corridor.

3.4.2 Action Alternatives

The proposed action would convert farmland subject to protection under FPPA into a transportation use. Apart from Segment 4, where Alternative C is the only action alternative, and Segment 1, Alternative B would have greater impacts on prime and/or unique farmland than Alternative C. Option V-1 would result in additional impacts on prime farmland. Please refer to ***Table 10, Impacts to Prime and Unique Farmland***.

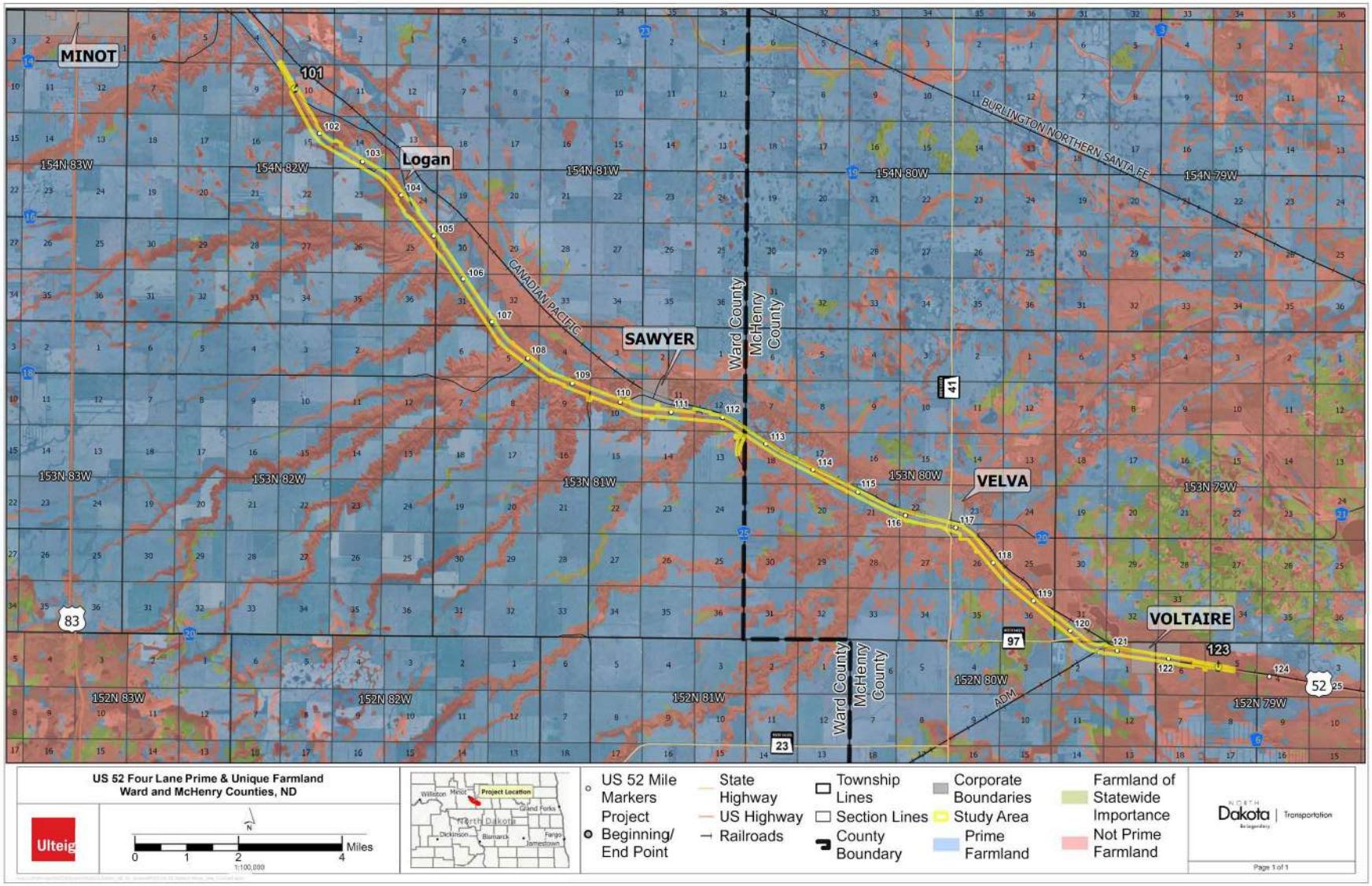


Figure 23, Prime and Unique Farmland

Table 10, Impacts to Prime and Unique Farmland

Segment	Alternative	Impacts (acres)	
		Farmland of Statewide Importance	Prime Farmland
Segment 1-6	Alternative A	0.00	0.00
Segment 1	Alternative B1	0.00	6.77
	Alternative C1	0.00	11.13
Segment 2	Alternative B2	0.00	3.75
	Alternative C2	0.00	1.30
Segment 3	Alternative B3	0.00	33.53
	Alternative C3	0.00	19.24
Segment 4	Alternative C4 without Option V-1	0.00	0.33
	Alternative C4 with Option V-1	0.00	0.71
	Option V-1 without Alternative C4	0.00	0.38
Segment 5	Alternative B5	0.00	3.19
	Alternative C5	0.00	0.52
Segment 6	Alternative B6	0.26	0.00
	Alternative C6	0.15	0.00

Coordination with the NRCS has occurred and NRCS-CPA-106 forms were completed. All forms resulted in farmland conversion impact rating scores lower than 160 and therefore do not warrant further consideration of minimization or avoidance measures. Please refer to ***Appendix E, Prime and Unique Farmland Documentation***.

The proposed action would not have a significant impact on farmlands due to impacts not exceeding the allowable level according to the NRCS-CPA-106 form.

3.5 Vegetation

Overall, the study area is dominated by mixed grass and native prairie communities, with naturally occurring shrubs and trees. Portions of the vegetation within the study area have been previously disturbed by hayland, pastureland, agricultural fields, residential areas, businesses, and industrial uses.

Various plant species were identified in the field and documented in the ***Dakota Skipper Habitat Survey Report, Dakota Skipper Habitat Survey Memo***, ***Aquatic Resources Delineation Report,*** and ***Aquatic Resources Delineation Report Addendum*** (all appended by reference). Dominant species found during the wetland survey include: freshwater cordgrass (*Spartina pectinata*), woolly sedge (*Carex pellita*), three-square sedge (*Schoenoplectus pungens*), saltmarsh club-rush (*Bolboschoenus maritimus*), cattails (*Typha spp.*), Canada anemone (*Anemone canadensis*), fowl bluegrass (*Poa palustris*), common spikerush (*Eleocharis palustris*), Baltic rush (*Juncus balticus*), scouringrush horsetail (*Equisetum hyemale*), green ash (*Fraxinus pennsylvanica*), and creeping meadow foxtail (*Alopecurus pratensis*). Dominant species found during the Dakota skipper habitat survey include: little bluestem (*Schizachyrium scoparium*), purple coneflower (*Echinacea purpurea*), prairie sagewort (*Artemisia frigida*), prairie smoke (*Geum triflorum*), groundplum milkvetch (*Astragalus crassicarpus*), green needlegrass (*Nassella viridula*), field pussytoes (*Antennaria neglecta*), candle anemone (*Anemone cylindrica*), common yarrow (*Achillea millefolium*), western wall flower (*Erysimum capitatum*), wild bergamot (*Monarda fistulosa*), Kentucky bluegrass (*Poa pratensis*), and smooth brome (*Bromus inermis*).

A woody vegetation inventory was conducted in accordance with the NDDOT Design Manual and documented in the ***Aquatic Resources Delineation Report*** and ***Aquatic Resources Delineation Report Addendum*** (appended by reference). Species found within the study area include: American elm (*Ulmus americana*), Arnold hawthorn (*Crataegus mollis*), box elder (*Acer negundo*), bur oak (*Quercus macrocarpa*), chokecherry (*Prunus virginiana*), eastern cottonwood (*Populus deltoides*), green ash (*Fraxinus pennsylvanica*), mountain ash (*Sorbus americana*), peachleaf willow (*Salix amygdaloides*), nannyberry (*Viburnum lentago*), ponderosa pine (*Pinus ponderosa*), quaking aspen (*Populus tremuloides*), red osier dogwood (*Cornus alba*), rocky mountain juniper (*Juniperus scopulorum*), sandbar willow (*Salix interior*), silver buffaloberry (*Shepherdia argentea*), and spruce sp. (*Picea sp.*).

The North Dakota Parks and Recreation Department (NDPRD) maintains the North Dakota Natural Heritage biological conservation database, which contains current or historical records of plant species of concern or other significant ecological communities known to occur throughout the state. One ecological community was identified by NDPRD to be within 1-mile of the study area: a green ash-elm-boxelder (*Fraxinus pennsylvanica - Ulmus americana*) floodplain forest. Please refer to ***Appendix B, Solicitation of Views Package and Responses***.

Under North Dakota Century Code (NDCC) 4.1-47-02, all individuals are required to take necessary and appropriate actions to control the spread of noxious weeds. The State of North Dakota has designated 13 species as noxious weeds (NDDA, n.d.):

- Absinth wormwood (*Artemisia absinthium* L.)
- Canada thistle (*Cirsium arvense* (L.) Scop.)
- Dalmatian toadflax (*Linaria genistifolia* spp. *dalmatica*)
- Diffuse knapweed (*Centaurea diffusa* Lam.)
- Houndstongue (*Cynoglossum officinale* L.)
- Leafy spurge (*Euphorbia esula* L.)
- Musk thistle (*Carduus nutans* L.)
- Palmer amaranth (*Amaranthus palmeri*)
- Purple loosestrife (*Lythrum salicari* L.*, Lythrum virgatum* L., and all cultivars)
- Russian knapweed (*Centaurea repens* L.)
- Saltcedar (*Tamarisk spp.*)
- Spotted knapweed (*Centaurea maculosa* Lam.)
- Yellow toadflax (*Linaria vulgaris*)

In addition to the state-listed noxious weeds, counties and cities can list additional noxious weeds for control within their jurisdictions. Ward County has designated two additional species of noxious weeds for enforcement: scentless chamomile (*Anthemis arvensis L.*) and houndstongue (Ward County, n.d.). Noxious weeds known to occur within and adjacent to the study area include Canada thistle, absinth wormwood, and leafy spurge (James Hansen, personal communication, January 27, 2026).

3.5.1 Alternative A

Alternative A would not result in impacts on vegetation as there would be no construction along the project corridor. NDDOT would continue to control noxious weeds within ROW in accordance with NDCC 4.1-47-02.

3.5.2 Action Alternatives

The proposed action would convert existing vegetated areas into a transportation corridor (i.e., NDDOT ROW, roadway), with areas of both permanent (i.e., converted to impervious surface) and temporary impacts (i.e., areas that would be re-vegetated). Apart from Segment 4, where Alternative C is the only

action alternative, Alternative C would have a greater area of permanent vegetation conversion into new impervious surface than Alternative B. In Segment 4, Alternative C4 and/or Option V-1 would result in additional area of vegetation conversion into impervious surface (see ***Table 7, Net Additional Impervious Surface Area***).

Beyond paved surfaces, the remaining area inside grading limits would be temporarily disturbed; these impacts are approximated in ***Table 6, Earthwork Impacts***; however, impacts shown include impervious areas previously discussed. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have greater temporary vegetation impacts than Alternative C. Option V-1 would result in additional temporary vegetation impacts. The proposed action would have varying impacts across different vegetation types such as cultivated, grasslands, wetlands, shrublands, woodlands, and pasture/hayland (see ***Table 9, Land Use Impacts***).

The proposed action is not anticipated to impact any significant ecological communities as none were observed within the study area.

Construction activities have the potential to contribute to the spread of noxious weeds, as soil disturbance may redistribute seeds. The spread of noxious weeds can have a detrimental effect on local wildlife, aquatic species, land use, livestock, and recreation activities by invading plant communities and altering the existing ecological conditions.

Disturbed areas would be promptly revegetated with a grass seed mixture and/or cover crop in accordance with the NDDOT Standards and Specifications for Road and Bridge Construction (NDDOT, 2025) and NPDES permit requirements. Reseeding in some areas would be done in coordination with USFWS for Dakota skipper habitat mitigation purposes, with vegetation establishment monitored by NDDOT (see ***3.11, Threatened and Endangered Species***). During construction, the contractor would be responsible for implementing noxious weed control measures. Following construction, NDDOT would assume responsibility for ongoing noxious weed control within its ROW.

Impacts to natural forests are not anticipated. Temporary impacts to native woody vegetation in riparian areas and woody draws would be reclaimed onsite at 1:1 ratio, while permanent impacts to native woody vegetation (i.e., trees and shrubs in natural settings) would be added to the NDDOT Tree Mitigation Ledger. Impacts to urban trees would be mitigated in coordination with the local public agency. Prior to impacts, woody vegetation to be removed in these areas would be recorded by a biologist and reviewed by NDDOT and added to the NDDOT Tree Mitigation Ledger.

The proposed action would not have a significant impact on vegetation due to post-construction revegetation using NDDOT and USFWS approved seed mixtures, woody vegetation impacts added to the NDDOT Tree Mitigation Ledger, adherence to NDDOT standards and specifications to prevent the spread of noxious weeds, and the implementation of control measures during construction by the contractor and after construction by the NDDOT.

3.6 Water Resources

The study area overlies the Voltaire, Souris River, and Sundre aquifers. The Souris River parallels much of the northern edge of study area. Surface water resources located within the study area include wetlands, drainages, creeks, tributaries of the Souris River (i.e., Spring Creek, Oak Creek, and several unnamed tributaries), and Erickson Lake. Please refer to ***Figure 24, Water Resources***. Surface water resources are discussed further within ***3.7, Wetlands and Other Waters*** and water quality is discussed in ***3.8, Water Quality.***

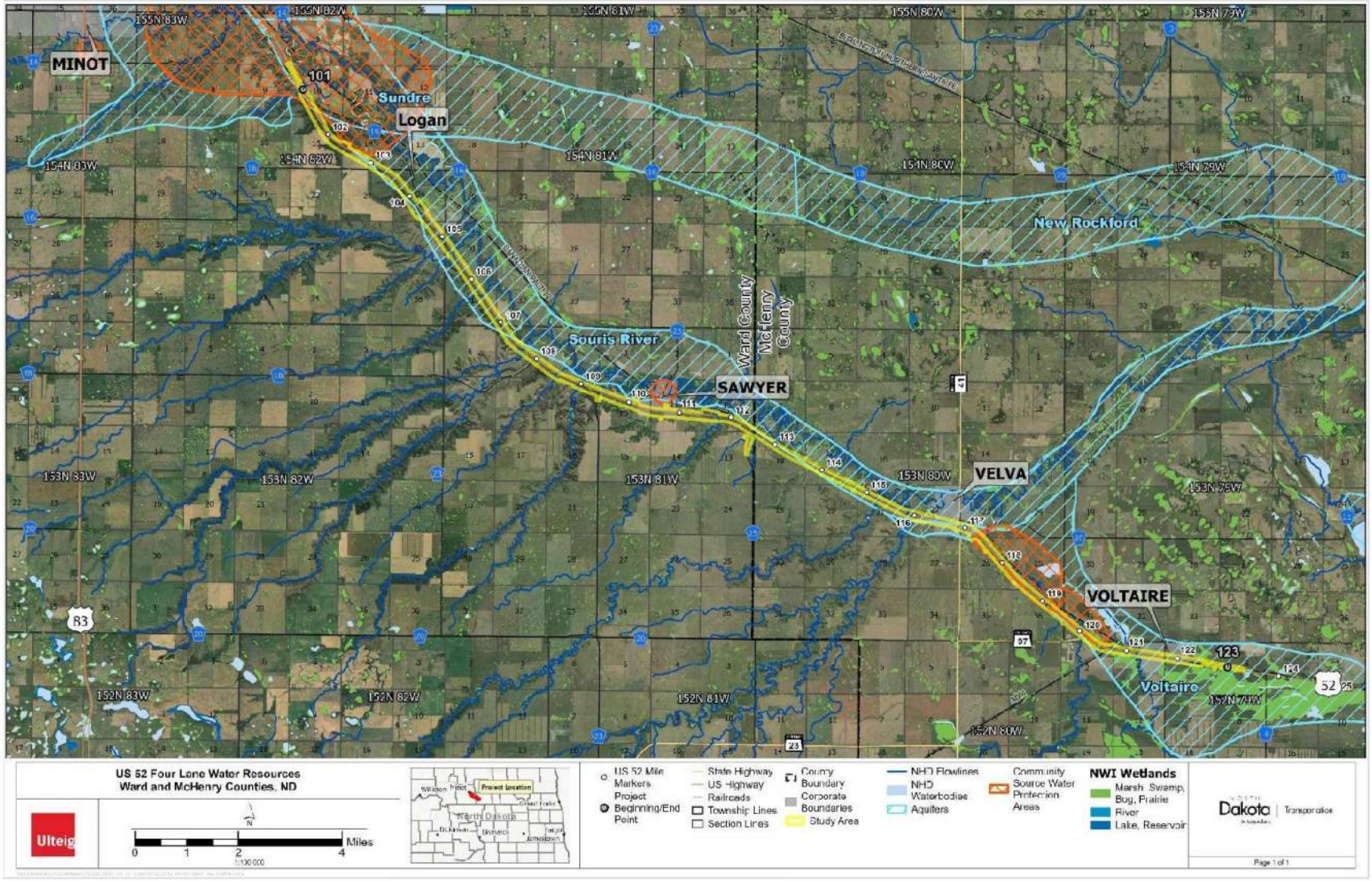


Figure 24, Water Resources

Sole-source aquifers are designated groundwater sources that serve as the exclusive or primary drinking water supply for a specific region and are protected under the Safe Drinking Water Act of 1974 (Public Law 93-523, 42 U.S.C. §300 et seq.). No sole-source aquifers have been identified or designated in North Dakota.

There are 14 drinking water suppliers in Ward County and seven in McHenry County, all of which rely on groundwater. The City of Sawyer receives its drinking water supply from North Prairie Rural Water District System III with supplemental water during high-demand periods from the City of Minot Water Treatment Plant. The City of Velva draws its drinking water directly from the Voltaire Aquifer via one municipal well and a gravity-flow spring well. The City of Logan and the City of Voltaire receive drinking water from the North Prairie Rural Water District System III (USEPA, 2025).

Community source water protection areas are designated to protect public water supplies from contamination. Three community source water protection areas occur within the study area, one located northwest of Logan, which is associated with the Minot-Sundre Aquifer, and two between Velva and Voltaire which is associated with the City of Velva and North Prairie Rural Water District (NDDEQ, 2025a).

3.6.1 Alternative A

Alternative A would not result in impacts to water resources as there would be no construction along the project corridor.

3.6.2 Action Alternatives

The proposed action would not impact sole source aquifers, as none have been designated in North Dakota. Additionally, no impacts to groundwater resources, drinking water quality, or source water protection areas are expected due to relatively shallow nature of earthwork occurring well above confining layers that separates the aquifer. An SPCC would be implemented, and care would be taken to avoid spills of materials that could adversely affect groundwater quality. If a spill does occur, it would be immediately reported to the North Dakota Department of Environmental Quality (NDDEQ) and remedial actions would be taken accordingly.

If previously unidentified observation wells are encountered during construction activities that may be impacted by the project, the Water Appropriation Division of the North Dakota Department of Water Resources (NDDWR) would be contacted.

The proposed action would not have a significant impact on water resources due to the lack of sole source aquifers in North Dakota, the lack of anticipated groundwater, drinking water, and source water protection area disturbances, and implementation of an SPCC.

3.7 Wetlands and Other Waters

Wetlands are areas that are inundated or saturated by surface or groundwater with a frequency and duration sufficient to support, and that under normal circumstances do support, vegetation or aquatic life requiring saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands are defined by three parameters: hydric soils, hydrophytic vegetation, and hydrology. Wetlands generally include swamps, marshes, bogs, prairie potholes, sloughs, and wetland fringes adjacent to streams. Wetlands are an important natural resource serving many functions, such as providing habitat for wildlife, storing floodwater, recharging groundwater, and improving water quality through natural infiltration. Other waters, such as streams, rivers, and lakes, are defined by an ordinary high water mark, which is a physical line on the shore established by water fluctuations characterized by changes in vegetation, erosion, debris, or other indicators.

Pursuant to 23 CFR 777.3, which implements Executive Order (EO) 11990, Federal agencies must take action to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the

beneficial functions of wetlands. Section 404 of the Clean Water Act (CWA) regulates the discharge of dredged or fill material into waters of the United States, including wetlands and other waters, that the USACE has jurisdiction over; permits may be nationwide or individual. For individual permits, USACE must determine the least environmentally damaging practicable alternative in accordance with US Environmental Protection Agency's (USEPA) Section 404(b)(1) Guidelines (40 CFR Part 230). Section 10 of the Rivers and Harbors Act regulates work in, over, or under navigable waters of the United States. The NDDWR's Sovereign Lands Management Regulatory Program applies to work occurring within the designated navigable lakes and streams.

A field aquatic resources delineation was completed for the proposed project on October 23-24, 2023, November 13-15, 2023, and June 3, 2025. There were 142 wetland segments identified within the study area, totaling 74.16 acres. Additionally, 37 other water segments were identified within the study area, totaling 6.92 acres/15,785 linear feet (for linear features). Findings were documented in an ***Aquatic Resources Delineation Report*** and ***Aquatic Resources Delineation Report Addendum*** (both appended by reference).

The USACE issued a jurisdictional determination for delineated wetlands and other waters on September 5, 2025 (NWO-2022-00132-BIS). There were 91 wetland segments and 29 other water segments determined to be jurisdictional under Section 404. In addition, all of the naturally occurring wetlands delineated are protected by EO 11990 and several wetlands are protected by USFWS wetland conservation easements. Please refer to ***Appendix B, Solicitation of Views Package and Responses*** and ***Appendix G, Wetland Documentation***.

There are no Section 10 waterbodies within the study area. The nearest navigable water is the Mouse (Souris) River, located approximately 230 feet north of the study area at its nearest point. There are no sovereign lands within the study area. The nearest sovereign land is the Souris River, located approximately 230 feet north of the study area at its nearest point.

3.7.1 Alternative A

Alternative A would not result in impacts to wetlands, other waters, or USFWS wetland conservation easements, as there would be no construction along the project corridor.

3.7.2 Action Alternatives

The proposed action would result in permanent impacts to wetlands and other waters via placement and removal of fill material as well as temporary construction disturbance. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have greater permanent impacts on wetlands and other waters than Alternative C. Option V-1 would result in additional impacts on wetlands. Apart from Segment 4, where Alternative C is the only action alternative, and Segment 2, Alternative B would have greater permanent impacts on other waters than Alternative C. Through preliminary design, attempts were made to avoid and minimize impacts to wetlands to the extent practicable, such as steepening inslopes in deep fill sections. Please refer to ***Table 11, Wetland and Other Waters Impacts Summary*** and ***Appendix G, Wetland Documentation***.

Based on the jurisdictional determination issued on September 5, 2025, a Section 404 permit must be obtained from USACE prior to construction for impacts to jurisdictional waters. Depending on construction sequencing and total impacts to be permitted, USACE may determine that an individual permit is warranted. In that event, USACE would complete a Section 404(b)(1) analysis. Permanent impacts greater than 0.10 acres to USACE jurisdictional wetlands and any permanent impacts to natural wetlands pursuant to EO 11990 would be mitigated. Compensatory mitigation for USACE jurisdictional wetlands would occur via use of credits from a USACE approved wetland mitigation bank, ditch shifts, and/or offset by design. Mitigation for permanent impacts on all other natural wetlands would occur via

use of credits from a FHWA-approved wetland mitigation bank, ditch shifts, and/or offset by design. Permanent impacts greater than 0.030 acres of Other Waters would be mitigated by utilizing credits from a wetland mitigation bank at a 2:1 ratio. All mitigation options (banks, ditch shifts, and offset by design) would be reviewed in further detail during final design. Temporarily impacted wetlands or other waters would be restored to preconstruction contours and reseeded following construction. Please refer to ***Appendix G, Wetland Documentation***.

Alternatives B and C would result in impacts to USFWS wetland conservation easements within Segments 5 and 6. A Special Use Permit would be obtained from USFWS and an easement exchange for the permanent impacts would occur. Please refer to ***Appendix G, Wetland Documentation***.

The proposed action would not have significant impacts on wetlands or other waters due to restoration of temporarily impacted wetlands, mitigation for permanently impacted wetlands, acquisition of a Special Use Permit and easement exchange, and acquisition of a Section 404 permit.

Table 11, Wetland and Other Waters Impacts Summary

Segments/Alternatives		Wetlands		Other Waters	
		Permanent	Temporary	Permanent	Temporary
Segment 1-6	Alternative A	0.000	0.000	0.000	0.000
Segment 1	Alternative B1	1.048	0.505	1.232	0.445
	Alternative C1	0.699	0.438	1.012	0.319
Segment 2	Alternative B2	1.074	0.313	0.053	0.011
	Alternative C2	0.702	0.208	0.060	0.007
Segment 3	Alternative B3	4.262	0.681	0.248	0.041
	Alternative C3	3.602	0.693	0.236	0.046
Segment 4	Alternative C4 without Option V-1	0.770	0.210	0.006	0.003
	Alternative C4 with Option V-1	1.020	0.244	0.006	0.003
	Option V-1 without Alternative C4	0.320	0.120	0.000	0.000
Segment 5	Alternative B5	4.619	1.157	0.442	0.052
	Alternative C5	1.666	0.736	0.072	0.051
Segment 6	Alternative B6	2.030	0.489	0.000	0.000
	Alternative C6	1.641	0.360	0.000	0.000

3.8 Water Quality

Standards for water quality in North Dakota are defined in NDAC 33.1-16-02.1 (formerly NDCC 33-16-02.1) in accordance with the CWA. Several waterbodies occur within the study area, including Oak Creek, Spring Creek, and other small tributaries. These waterbodies are not individually listed in NDAC 33.1-16-02.1 and are therefore classified as Class III streams, which are generally suitable for agricultural and industrial uses. No impaired waters occur within the study area. An impaired section of the Souris River occurs near Velva and is approximately 128 feet north of the study area (NDDEQ, n.d.).

Section 402 of the CWA establishes the NPDES permit program, which regulates the discharge of pollutants from points sources, such as construction stormwater runoff. Water Quality Certification under

Section 401 of the CWA is required in situations where a federal permit or license (e.g., CWA Section 404/10) is needed for an activity that may result in a discharge into waters of the US. Section 311 (33 U.S.C. § 1321) of the CWA prohibits the discharge of oil or hazardous substances in harmful quantities to navigable waters, adjoining shorelines, or the contiguous zone, and establishes the federal framework for spill prevention, preparedness, response, and liability. For construction activities, compliance is implemented primarily through USEPA's SPCC regulations (40 CFR Part 112).

3.8.1 Alternative A

Alternative A would not result in impacts to water quality as there would be no construction along the project corridor.

3.8.2 Action Alternatives

The proposed action has the potential to impact water quality in the study area due to roadway construction activities as a result of spills, erosion and sedimentation. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have slightly more potential to impact water quality during construction than Alternative C due to a larger construction footprint. Option V-1 would result in additional potential to impact water quality during construction due to additional construction footprint (see ***Table 6, Earthwork Impacts***).

The proposed action also has the potential to impact water quality in the study area due to operation of the roadway as a result of runoff. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have less potential to impact water quality during operation than Alternative C due to vegetated center median slowing runoff and providing greater infiltration potential. Option V-1 would result in additional potential to impact water quality during operation due to the additional impervious surface. Section 401 Water Quality Certification would be obtained from NDDEQ, as necessary.

Spill risk would be minimized by implementing an SPCC plan pertaining to routine inspection/maintenance, trained crews, staged spill kits/absorbents, and controlled fueling and equipment maintenance away from surface waters and wetlands. Spills would be handled by immediately stopping the source, containing and cleaning up the release, and making required notifications.

The contractor would obtain an NPDES construction stormwater permit from NDDEQ and implement a SWPPP for proper stormwater management. Disturbed areas would be promptly revegetated with a grass seed mixture and/or cover crop in accordance with the NDDOT Standards and Specifications for Road and Bridge Construction and NDPES permit requirements, with final stabilization occurring when a uniform perennial vegetative cover with a density of 70 percent of the native cover for unpaved areas and areas not covered by permanent structure, or equivalent permanent stabilization. Reseeding in some areas would be done in coordination with USFWS for Dakota skipper habitat mitigation purposes. BMPs would be incorporated prior to, during, and after construction in accordance with the SWPPP to minimize potential water quality impacts. Typical BMPs that may be used on the project include, but are not limited to, fiber rolls, erosion control blankets, riprap, rock checks, stabilized construction accesses, silt fence, and seeding and mulching.

The proposed action would not result in a significant impact on water quality due to the implementation of SWPPP, BMPs, and SPCC plan, as well as obtaining Section 401 Water Quality Certification.

3.9 Floodplain

Federally funded activities in or affecting floodplains are regulated by EO 11988, Floodplain Management. EO 11988 address concerns over the potential loss of natural and beneficial functions of the nation's floodplains as well as the increased cost to Federal, state and local governments from flooding disasters caused or worsened by unwise development of the floodplain.

The project study area crosses multiple mapped floodplain areas within Ward and McHenry Counties, as documented by the Federal Emergency Management Agency (FEMA) on Flood Insurance Rate Maps (FIRM). Floodplains within the study area include Zone A (base flood elevation not published) and AE (base flood elevation is published), both of which are classified as Special Flood Hazard Areas with at least 1 percent annual chance of flooding (i.e., the 100-year floodplain). Zone B also occurs within the study area, which are classified as a moderate flood hazard with at least 0.2 percent annual chance of flooding (i.e., 500-year floodplain). In addition, an area with reduced flood risk occurs within the study area associated with a levee encompassing the City of Velva. A mapped floodway associated with the Souris River parallels much of the project corridor between Minot and Velva but does not occur within the study area. Please refer to ***Figure 26, Floodplain and Floodway Map*** and ***Appendix H, FIRM Maps.*** A Floodplain Non-Building Development permit is required from the applicable city or county for roadway projects within Special Flood Hazard Areas to ensure flooding is not exacerbated or obstructed by the project.

The historic Souris River flood in 2011 impacted communities throughout the Souris River basin, causing extensive damage to residences, businesses, farmland, and infrastructure. As a result, the Souris River Joint Water Resources Board's MREFPP recommended a grade raise along US Highway 52 within Segment 3 as a flood protection measure (see ***2.4.3, Segment 3 RP 112.51 to RP 116.22***).

A USACE-managed flood protection levee surrounds the community of Velva. The levee crosses US Highway 52 on the west side of Velva and abuts the highway on the east side. This system was constructed to reduce flood risk for the community following major historic flood events in the 1970s and again in 2011. As a USACE civil works project, the levee is protected by Section 408 of the Rivers and Harbors Act (33 U.S.C. 408). Alterations to a civil works project must undergo USACE review to determine whether a proposed alteration will impair the usefulness of the project or be injurious to the public interest. Please refer to ***Figure 25, Velva Flood Protection LeveeError! Reference source not found.*** and ***Figure 27, Velva Flood Protection Levee Boundary.***

Figure 25, Velva Flood Protection Levee

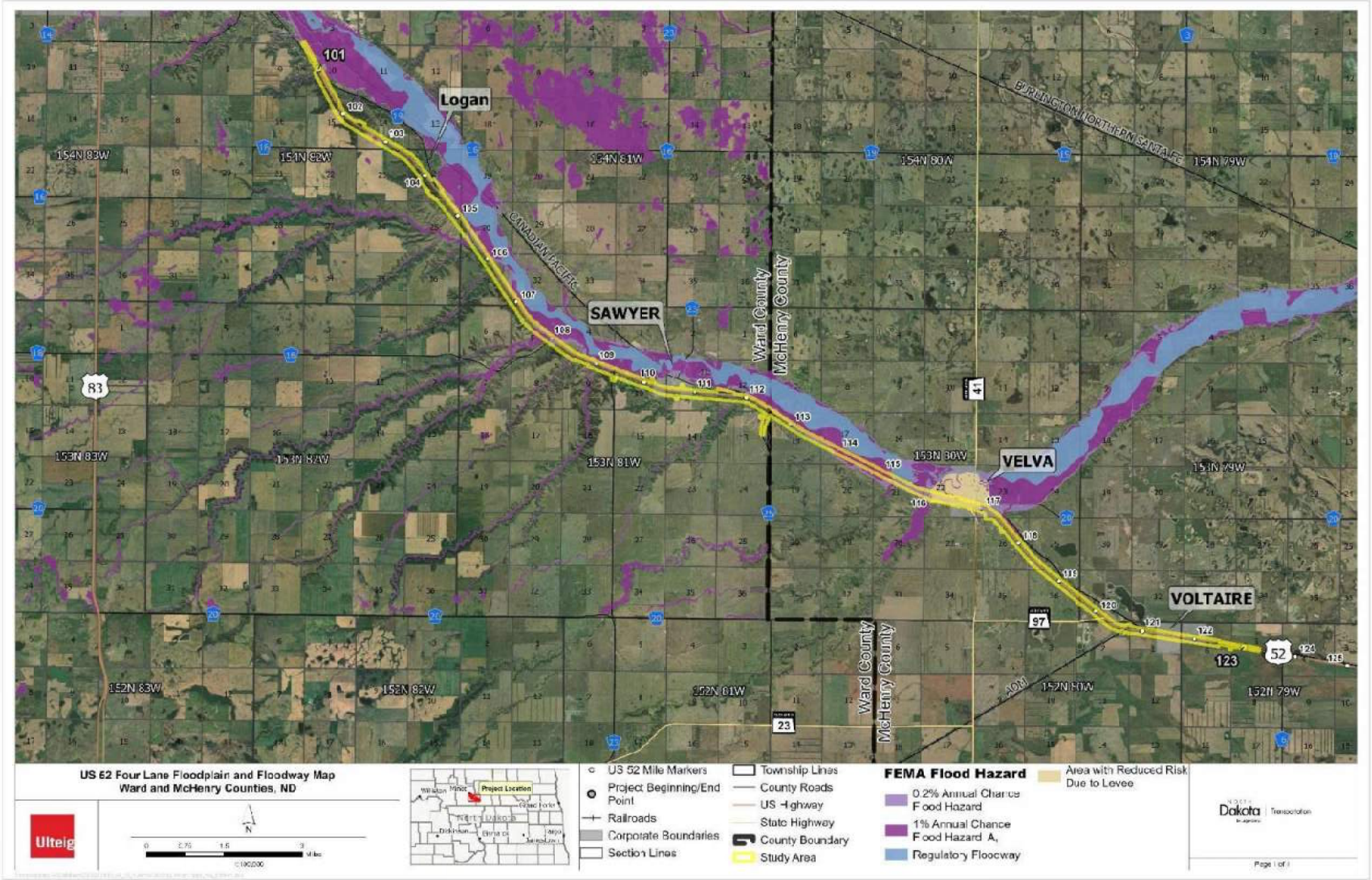


Figure 26, Floodplain and Floodway Map

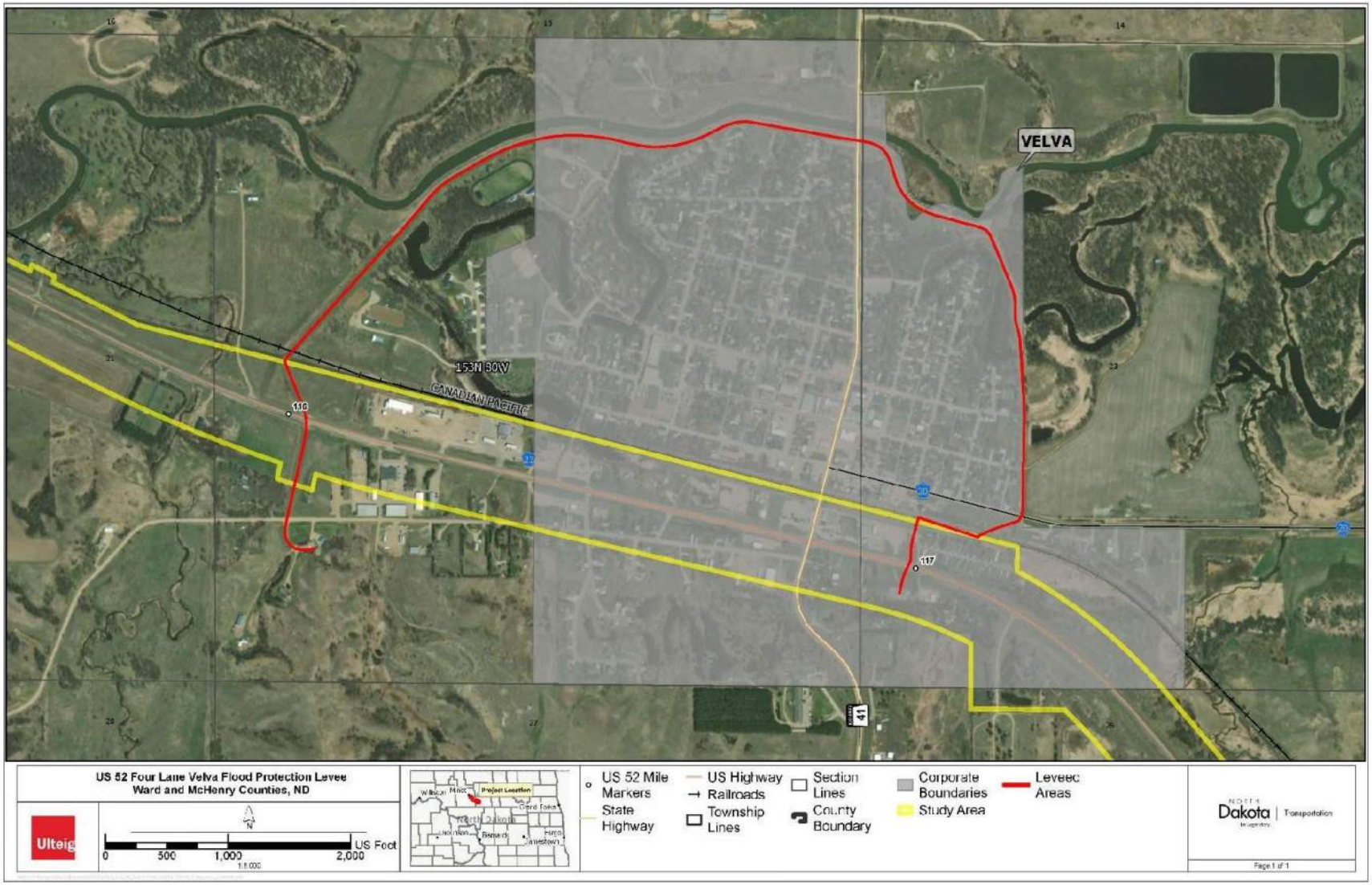


Figure 27, Velva Flood Protection Levee Boundary

An existing flood control structure is located near the community of Sawyer at RP 110.429 in Segment 2. The structure consists of an 84-inch by 188-foot reinforced concrete pipe constructed in 1959, with a flood control modification added in 1998. This 1998 modification includes a 24-inch by 52-foot reinforced concrete pipe inlet and a concrete riser, creating a "dry" dam using the highway embankment as an impoundment. The structure helps manage runoff from a steep, narrow watershed, reducing flood risk for Sawyer. Please refer to ***Figure 28, Sawyer Flood Control Structure***.

The flood control structure is currently classified as a low-hazard dam and is regulated by the NDDWR. Impacts to low-hazard dams capable of handling more than 50-acre-feet require a construction permit from NDDWR according to NDCC 61-16.1-38. During permit review, NDDWR may re-evaluate the hazard classification of the structure, considering factors such as US Highway 52 (over 2,000 average daily traffic) and the presence of the town of Sawyer downstream. High- or significant-hazard dams require an Emergency Action Plan (EAP) under NDCC 61-03-25, which identifies potential emergency situations that could occur at a dam and specifies the course of action to be taken when an emergency situation arises.

Figure 28, Sawyer Flood Control Structure

3.9.1 Alternative A

Alternative A would not result in impacts to floodplains, the Velva flood protection levee, or the Sawyer flood control structure as there would be no construction along the project corridor. The MREFPP's recommended grade raise along US Highway 52 would not be implemented to minimize flood risk as part of the proposed action.

3.9.2 Action Alternatives

The proposed action would result in roadway construction within Special Flood Hazard Areas in Segments 1, 2, 3, and 5; therefore, floodplain non-building development permits would be required from both Ward and McHenry Counties as well as the cities of Velva and Sawyer under both Alternatives B and C. Option

V-1 does not occur within a Special Flood Hazard Area. During preliminary design, efforts were made to minimize impacts to floodplains. This included designing all centerline culverts to meet 25-year flood event design standards, structures (i.e., box culverts) to meet 50-year flood event design standards, and all hydraulic crossings designed so that the roadway does not overtop during a 100-year flood event.

Alternatives B and C in Segments 3 and 4 would impact the flood protection levee around Velva. Project design would maintain elevations so there is no impact to the integrity or functioning of the levee. Section 408 review and approval would be obtained from USACE for this alternative. Option V-1 would not impact the levee.

Alternatives B and C in Segment 3 would also result in the implementation of MREFPP's recommendation to raise the grade of US Highway 52 to improve flood protection.

Alternatives B and C in Segment 2 would impact the Sawyer flood control structure. Roadway widening would require lengthening the existing 84-inch pipe and replacing the drop structure to retain functionality. A construction permit would be obtained from the NDDWR and, in the event the dam is reclassified as a medium- or high-hazard dam, an EAP would be required and prepared.

Coordination with the Souris River Joint Board, who initiated the MREFPP, would occur during final design to ensure final design does not adversely impact the Velva flood protection levee or the Sawyer flood control structure.

The proposed action would not have a significant impact on floodplains due to the acquisition of floodplain permits, maintenance of flood protection levee around Velva, implementation of MREFPP's recommended grade raise, coordination with Souris River Joint Board, acquisition of construction permit and EAP (if necessary) for flood control structure, and USACE Section 408 review for work at the Velva levee.

3.10 Wildlife and Fisheries

Wildlife habitat within the study area includes wetlands, drainages, creeks, streams, planted and native grasslands, woodlands, and croplands. To determine baseline wildlife and habitat conditions within the study area, field surveys for the project were conducted in 2023, 2024, and 2025. Conditions found within the study area include: grasslands that could support pollinator species, grassland birds, insects, and small and large mammal movements throughout the corridor; aquatic and riparian corridors that could provide protection and forage for bat species, amphibians and reptiles, migratory birds; wetlands that could support fish, insects, and small mammals, as well as provide forage and rest for migrating birds and waterfowl; and cropland that could provide forage and rest for mammals and birds.

Habitats within the study area support various species of birds, mammals, reptiles, amphibians, fish, bats, mussels, and insects (NDGF, n.d.-c). Common species that have potential to be present include: American robin (*Turdus migratorius*), killdeer (*Charadrius vociferus*), western meadowlark (*Sturnella neglecta*), ring-necked pheasant (*Phasianus colchicus*), red-tailed hawk (*Buteo jamaicensis*), northern harrier (*Circus hudsonius*), bald eagle (*Haliaeetus leucocephalus*), groundhog (*Marmota monax*), American red squirrel (*Tamoascorius hudsonicus*), thirteen-lined ground squirrel (*Ictidomys tridecemlineatus*), moose (*Alces alces*), white-tailed deer (*Odocoileaus virginianus*), coyote (*Canus latrans*), red fox (*Vulpes vulpes*), badger (*Taxidea taxus*), racoon (*Procyon lotor*), muskrat (*Ondatra zibethicus*), mink (*Mustela vision*), beaver (*Castor canadensis*), plains gartersnake (*Thamnophis radix*), racer (*Coluber constrictor*), red-bellied snake (*Storeria occipitomaculata*), smooth greensnake (*Opheodrys vernalis*), plains hog-nosed snake (*Heterodon nasicus*), northern leopard frog (*Lithobates pipiens*), plains spadefoot (*Spea bombifrons*), Cope's gray treefrog (*Hyla chrysoscelis*), wood frog (*Lithobates sylvaticus*), western painted turtle (*Chrysemys picta bellii*), snapping turtle (*Chelydra serpentina*), northern pike (*Esox lucius)*, walleye (*Sander vitreus*), yellow perch (*Perca flavescens*), smallmouth bass (*Micropterus dolomieu)*, fatthead minnows (*Pimephales pro*

melas), white suckers (*Catostomus commersonii*), redbelly dace (*Phoxinus eos*), creek chubs (*Semotilus atromaculatus*), big brown bat (*Eptesicus fuscus*), little brown bat (*Myotis lucifugus*), silver-haired bat (Lasionycteris noctivagans), hoary bat (*Lasiurus cinereus*), red bat (*Lasiurus borealis*), plains bumblebee (*Bombus terricola*), painted lady (*Vanessa cardui*), and monarch (*Danaus plexippus*) (Gillam et al., n.d.; iNaturalist, n.d.; NDGF, n.d.-b; NDSU et al., 2024; USFWS, 2012).

Aquatic nuisance species are organisms that disrupt the ecological stability of infested inland (e.g., rivers and lakes), estuarine or marine waters. Infestations may impair the recreational, commercial and agricultural uses of the water body, along with doing ecological damage (USEPA, 2026). There are currently eight invasive species present in North Dakota. These species include curly leaf pondweed (*Potamogeton crispus*), Eurasian watermilfoil (*Myriophyllum spicatum*), flowering rush (*Butomus umbellatus*), common carp (*Cyprinus carpio*), silver carp (*Hypophthalmichthys molitrix*), bighead carp (*Hypophthalmichthys nobilis*), grass carp (*Ctenopharyngodon idella*), and zebra mussels (*Dreissena polymorpha*). Common carp are common throughout the state and could occur within the study area; the remaining species area not currently found in Ward or McHenry counties (NDGF, n.d.-a).

The NDPRD maintains the North Dakota Natural Heritage biological conservation database, which contains current or historical records of animal species of concern known to occur throughout the state. Four wildlife species were identified by NDPRD to be within 1-mile of the study area: Arogos skipper (*Atrytone arogos iowa*), Dakota skipper, tawny crescent (*Phyciodes batesii*), yellow-breasted chat (*Icteria virens*). Only the yellow-breasted chat, a migratory bird, was observed in the study area, which was recorded between 1981 and 1991. Please refer to ***Appendix B, Solicitation of Views Package and Responses***. These species are also recognized in the North Dakota State Wildlife Action Plan due to their conservation or need for information status (NDGFD, 2025).

The Migratory Bird Treaty Act (MBTA), 916 United States Code (USC) 703-712, provides protection for over 1,100 migratory bird species. Under the MBTA it is illegal to "take" protected species without a permit from the USFWS. "Take" is defined as any means or matter to hunt, pursue, wound, kill, possess, or transport any migratory bird, nest, egg, or part thereof. The study area lies within the Central Flyway of North America (USFWS, n.d.-b). As such, the area may be used as resting grounds for birds on their spring and fall migrations, as well as nesting and breeding grounds.

Protection for bald and golden eagles is provided through the Bald and Golden Eagle Protection Act of 1940 (16 USC 668-668d). The act, as amended, prohibits the "take" of bald or golden eagles, including their parts, nests, or eggs, without a permit issued by the Secretary of the Interior. "Take" includes pursuing, shooting, wounding, killing, capturing, trapping, collecting, molesting, or disturbing eagles. Disturbance is defined as actions that agitate or bother eagles to a degree likely to cause injury, reduce productivity by substantially interfering with breeding, feeding, or sheltering, or result in nest abandonment (USFWS, n.d.-a). According to the NDGFD, a bald eagle nest was present near the Velva Wildlife Club that was likely within 0.5 miles of the study area; however, the exact location was not known (Sandra Johnson, personal communication, October 21,2025). During a field survey conducted on October 28, 2025, this nest was unable to be located and is assumed destroyed (Travis Leier, personal communication, October 29, 2025).

3.10.1 Alternative A

Alternative A would not result in impacts on general wildlife species, raptors, migratory birds, or animal species of concern as there would be no construction along the project corridor. Habitat fragmentation due to the existing roadway and wildlife mortality and injuries would continue to occur from vehicle collisions.

3.10.2 Action Alternatives

The proposed action would result in habitat loss by converting non-developed areas into a transportation corridor (see ***Table 9, Land Use Impacts***). Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have greater habitat conversion than Alternative C. Option V-1 would not result in additional habitat conversion as existing land use is developed. The affected wildlife habitat is considered marginal due to the proposed action's proximity to urbanized and other developed areas (i.e., roadways, rural residences, businesses).

Construction activities and associated habitat loss may cause wildlife to avoid the area temporarily or permanently. Similar habitat types exist within the broader study area, which are expected to support permanently displaced wildlife. Most species are expected to either return after construction or adapt to ongoing disturbances. Some species may alter activity patterns, such as avoiding areas during periods of relatively high traffic volumes (Brett et al., 2025; Shamoon et al., 2018; Long et al., 2017).

Construction activities may result in mortality for species with limited mobility that are unable to avoid ground-disturbing operations; however, these impacts are anticipated to be minimal and would not affect overall species viability or contribute to population declines that would warrant consideration for federal listing.

Highway expansion would increase the distance for wildlife to travel across the roadway, potentially causing increased mortality from wildlife-vehicle collisions. The addition of two additional lanes also has potential to increase habitat fragmentation, disrupting landscape connectivity and restricting dispersal movements that risks biodiversity loss and limit access to resources.

Measures designed to minimize habitat degradation and/or offset habitat loss include: using NDDOT and USFWS approved seed mixtures, woody vegetation impacts added to the NDDOT Tree Mitigation Ledger, measures to prevent and control the spread of noxious weeds, erosion and sedimentation BMPs, and aquatic resources restoration and mitigation (see ***3.5, Vegetation***; ***3.7, Wetlands and Other Waters; 3.8, Water Quality;*** and ***3.11, Threatened and Endangered Species***).

Activities that occur within aquatic resources have the potential to introduce aquatic nuisance species (ANS) to the waterbody. Impacts would be minimized by utilizing NDDOT's ANS commitment, which stipulated that equipment that was last used outside of North Dakota or within a Class I infested waterbody (identified on the NDGF website) must be inspected by NDGF. NDGF would be notified at least 10 business days prior to pumps, watercraft, or any equipment entering a public water to allow the NDGF sufficient time to inspect any and all such equipment for ANS. One of the following would be supplied to the Project Engineer as proof of compliance prior to work taking place in the water: (1) the NDGF inspection report, (2) documented NDGF correspondence (email or signed letter).

The proposed action is not anticipated to impact any species of concern. Only one of these, the yellow-breasted chat, was observed within the study area and the most recent documented observation was from more than 30 years ago. Mitigation and minimization measures would occur for migratory birds, as discussed below.

The proposed action is not anticipated to impact bald or golden eagles, as no known nests are present within 0.5 miles of the study area. If new nests are identified during construction, work within 0.5 miles would immediately stop, and NDDOT would coordinate with USFWS to determine protective measures.

The proposed action would result in relocation of overhead power lines (see ***3.20, Utilities***). While collision hazards can degrade habitat quality for birds, these hazards are already present in the corridor, and no new power lines would be installed. To reduce the risk of flight collisions, NDDOT would request that utility companies install bird diverters at a 1:1 ratio (per linear foot) on any raised, lowered, and/or moved ov

erhead utility lines that occur within 1 mile of whooping crane stopover habitat; however, utility companies may conclude that the placement of line markers is not feasible in certain conditions (see ***3.11, Threatened and Endangered Species***).

Roadway construction would occur during the migratory bird nesting season (February 1 – July 15) (USFWS, 2025), which is typically when the birds are most vulnerable. If construction activities are to occur during the migratory bird nesting season, work areas would be mowed and/or grubbed prior to the start of the nesting season if possible. If mowing and/or grubbing is not completed prior to the nesting season, a qualified biologist would conduct preconstruction nest surveys within the work areas. If active nests are identified, NDDOT would coordinate with USFWS prior to commencement of work to determine any measures necessary to minimize harm. In addition, a modified Special Provision for the MBTA would be included with the Construction Specifications, with stipulations pertaining to nests during construction activities involving bridges, box culverts, and structural plate culverts and clearing and grubbing.

Fish and other aquatic species that may inhabit aquatic habitats throughout the study area are not anticipated to be indirectly impacted by the proposed action due to the implementation of BMPs and the SWPPP.

The proposed action would not have a significant impact on wildlife and fisheries due to wetland and vegetation habitat mitigation; presence of ample comparable habitat including wetlands, grasslands, cropland, and aquatic and riparian corridors; implementation of BMPs and the SWPPP; potential implementation of bird diverters on overhead lines; migratory bird protections; and lack of golden and bald eagle nests near construction areas.

3.11 Threatened and Endangered Species

Under Section 7 of the ESA of 1973, as amended, any action sponsored, funded or authorized by a federal agency must be evaluated for potential effects on species federally listed or proposed for listing as threatened or endangered. Under the ESA, endangered species are those in danger of extinction throughout all or a significant portion of their range, while threatened species are those likely to become endangered within the foreseeable future throughout all or a significant portion of its range (USFWS & Department of Interior, 1973). Candidate species are species for which the USFWS has sufficient information on biological status and threats to propose them as endangered or threatened, but for which development of a proposed listing regulation is precluded by higher-priority listing activities. Candidates receive no statutory protections under the ESA but are tracked for conservation (USFWS, 2017a). Proposed species are those candidate species that were found to warrant listing as either threatened or endangered, after completion of a status review and consideration of other protective conservation measures (NOAA, 2025). Critical habitat refers to specific geographic areas, occupied by the species at the time it was listed, that contain the physical or biological features essential to the conservation of endangered and threatened species and that may require special management or protection (USFWS, 2017b).

A ***Biological Assessment (BA)*** (appended by reference) was developed to analyze impacts to resources protected by the ESA in coordination with USFWS. A 1-mile buffer around the action alternatives was used as the "action area" for the BA. An action area, as defined in 50 CFR part 402.02, encompasses "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action."

For the BA, an official species list was generated via the USFWS Environmental Conservation Online System – Information, Planning, and Conservation that identified that the following resources may occur at the location of the proposed action:

- Northern long-eared bat (*Myotis septentrionalis*) – Endangered

- Whooping crane (*Grus americana*)– Endangered
- Piping plover (*Charadrius melodus*)– Threatened
    - Piping plover critical habitat
- Rufa red knot (*Calidris canutus rufa*)– Threatened
- Dakota skipper (*Hesperia dacotae*) – Threatened
    - Dakota skipper critical habitat
- Suckley's cuckoo bumble bee (*Bombus suckleyi*)– Proposed endangered
- Monarch butterfly (*Danaus plexippus*)– Proposed threatened
- Western regal fritillary (*Argynnis idalia occidentalis*) – Proposed threatened

Species proposed for listing were not analyzed in the BA as they do not currently have protections under the ESA; further coordination with USFWS would occur in the event they become listed. Habitat characteristics for the remaining resources analyzed in the BA are summarized below.

Northern Long-eared Bat

Suitable summer habitat for the northern long-eared bat is present within the action area in the form of forested, interspersed non-forested areas, and man-made structures such as buildings, bridges, culverts, and cattle passes. Two ***Northern Long-eared Bat Structure Assessment Memos*** (both appended by reference) were prepared for assessments conducted on October 23-24, 2023; November 17-19, 2023; April 24, 2024; and June 4, 2025. None of the culverts/drainages and cattle passes assessed displayed evidence of bat use.

Whooping Crane

Potential migratory stopover habitat for the whooping crane is present within the action area in the form of cropland and wetlands. Generally, the species tends to prefer isolated stopover sites with minimal human presence or disturbances such as residences, roads, and other human activity (CWS and USFWS, 2007).

Piping Plover

Suitable habitat for the piping plover in the form of sparsely vegetated sandbars and gravel beaches adjacent to alkali lakes, wetlands, rivers and lakes is not present within the action area. Additionally, the project is not located within 0.5 miles of designated critical habitat.

Piping Plover Critical Habitat

Critical habitat for the northern Great Plains population of piping plovers has been designated on alkali lakes and wetlands, as well as along rivers and inland lakes (i.e., the Missouri River and Lake Sakakawea). While critical habitat for the piping plover occurs within both Ward and McHenry Counties, no designated critical habitat occurs within the action area for this species. The closest critical habitat is approximately 12.5 miles southeast of the action area.

Rufa Red Knot

In North Dakota the Rufa red knot has been known to use non-vegetated large permanent freshwater and alkali lakes and wetlands and have been observed along the Missouri River system and in sewage lagoons. Suitable habitat for the Rufa red knot in the form of sparsely vegetated sandbars and gravel beaches adjacent to alkali lakes, wetlands, rivers and lakes is not present within the action area. The sewage lagoons within the action area are located between approximately 0.25 and 0.7 miles from the study area and will not be impacted by the project.

Dakota Skipper

Suitable habitat for the Dakota skipper is present within the action area in the form of native prairie patches. Dakota skipper habitat surveys were conducted along the project corridor on June 5-6, 2024, and

June 3, 2025. A total of 39 patches of suitable Dakota skipper habitat were identified within the study area, totaling approximately 34.03 acres. Findings were documented in ***Dakota Skipper Habitat Survey Report*** and ***Dakota Skipper Habitat Survey Memo*** (both appended by reference).

Dakota Skipper Critical Habitat

Critical habitat for the Dakota skipper has been designated in six counties in North Dakota, including five units within McHenry County. No designated critical habitat occurs within the action area for this species. The closest critical habitat is approximately 17.5 miles northeast of the action area.

3.11.1 Alternative A

Alternative A would not result in impacts on threatened or endangered species as there would be no construction along the project corridor.

3.11.2 Action Alternatives

A ***BA*** (appended by reference) was prepared to analyze the effects of the proposed action on federally protected resources. For the BA, a single conservative worst-case scenario was used to evaluate potential impacts of the action alternatives and option, consistent with USFWS consultation practices that emphasize assessment of maximum reasonably foreseeable effects rather than comparison of alternatives and/or segments. The effect determination for each species evaluated are summarized in ***Table 12, Threatened and Endangered Species Effect Determinations.***

Table 12, Threatened and Endangered Species Effect Determinations

Determination	Definition of Determination	Protected Resource
No Effect	This determination is appropriate when the proposed project would not directly or indirectly affect (neither negatively nor beneficially) individuals of listed, proposed, candidate species or designated/proposed critical habitat of such species. **No concurrence from USFWS required.**	• Piping plover • Rufa red knot • Piping plover critical habitat • Dakota skipper critical habitat
May Affect but Not likely to Adversely Affect	This determination is appropriate when the proposed project is likely to cause insignificant, discountable, or wholly beneficial effects to individuals of listed species and/or designated critical habitat. **Concurrence from USFWS required.**	• Northern long-eared bat • Whooping crane
May Affect and Likely to Adversely Affect	This determination is appropriate when the proposed project is likely to adversely impact individuals of listed species and/or designated critical habitat. **Formal consultation with USFWS required.**	• Dakota skipper

The proposed action is anticipated to have no effect on the piping plover as suitable nesting habitat is not present within the action area. The proposed action is anticipated to have no effect on the Rufa red knot as suitable habitat is limited within the action area and would not be impacted. The proposed action would have no effect on piping plover and Dakota skipper critical habitat as neither are present within the action area.

The proposed action may affect but is not likely to adversely affect the northern long-eared bat due to conversion of potential habitat, temporary lighting during construction, expansion of existing destination lighting footprint, and work on structures. The proposed action may affect but is not likely to adversely affect the whooping crane due to conversion of potential habitat and modification of overhead utilities that present collision hazards. The proposed action may affect and is likely to adversely affect the Dakota skipper due to conversion of suitable habitat.

The BA included several environmental commitments and conservation measures that would be implemented:

- Ensure all project operators, employees, and contractors are aware of pertinent environmental commitments and conservation measures.
- Conduct tree removal activities outside of the active season for the northern long-eared bat (April 15 – October 31). In the event any tree removal needs to occur during the active season, tree removal outside of pup season (June 1 – August 15) may be allowable in coordination with USFWS.
- Ensure tree removal is limited to that specified in the project's final plans. Install bright colored flagging/fencing prior to any tree removal to ensure contractors stay within clearing limits.
- North Dakota does not currently have documented northern long-eared bat roosts or foraging habitat. Evidence of a maternity colony was detected in 2024; however, this colony is not within the action area (USFWS, 2025; Hanna Edens, personal communication, May 20, 2025). In the event they are identified in the future, do not cut down documented roosts, trees within 0.25 miles of roosts, or documented foraging habitat during any time of year. If such trees or habitat would be impacted, further ESA consultation would be required.
- For temporary lighting that is utilized during construction, direct it away from trees during the active season for the northern long-eared bat (April 15 - October 31).
- For permanent lighting that is replaced, use downward-facing, full cut-off lens lights that are designed to be approximately the same intensity as previous lighting.
- Conduct bat structure assessments prior to structure or culvert work (within 2 years prior to commencement). If bats are not observed, no further action is required. If bats are observed, further ESA consultation would be required.
- To reduce the risk of flight collisions during the spring and fall whooping crane migration periods, NDDOT would request that utility companies install bird diverters at a 1:1 ratio (per linear foot) on any raised, lowered, and/or moved overhead utilities lines that occur within 1 mile of whooping crane stopover habitat. Each utility company would 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 areas.
- Mitigate impacted wetlands at a NDDOT approved mitigation bank, on site, and/or adjacent to the proposed action.
- Conduct one year of pre-construction Dakota skipper occupancy surveys of suitable habitat patches previously identified in accordance with current USFWS protocol.
    - If the pre-construction occupancy surveys indicate absence of the Dakota skipper, no further mitigation would occur.
    - If pre-construction occupancy surveys indicate occupancy of the Dakota skipper, an onsite/offsite Dakota skipper conservation bank would be established in accordance with the USFWS North Dakota Field Office Guidance for Dakota Skipper Conservation Site Establishment document. The exact mitigation ratio would be determined at a later date in coordination with USFWS and NDDOT. In addition, at least one year of post-construction occupancy survey(s) would occur after vegetation establishment in disturbed areas and within five years following construction.
- Fence and avoid previously identified suitable Dakota skipper habitat that is not planned to be directly impacted during construction activities.
- Implement standard dust control measures required under the general construction permit.
- Reseed disturbed areas within 250 meters of previously identified suitable Dakota skipper habitat with a seed mix high in native grasses and forbs.

- During operation of the highway, NDDOT maintenance staff would control noxious weeds within their ROW via spot spraying and other eradication methods, not including broadcast spraying.
- Handle waste materials in compliance with state and federal regulations and dispose of in a way that prevents harm to water channels and riparian zones.
- Implement BMPs and a SWPPP. Various techniques may be used such as mulching, matting, and netting; installing filter fabric fencing; utilizing sediment traps and ponds; creating surface water interceptor swales and ditches; limiting the quantity of stockpiled materials; and ensuring stockpiles are stored away from surface water sources.
- Notify the project engineer immediately in the event any threatened or endangered species is identified within 1 mile of the proposed action. 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. Do 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).

On January 21, 2026, USFWS concurred via informal consultation with "may affect, but is not likely to adversely affect" determinations for the northern long-eared bat and the whooping crane. In addition, USFWS concurred via formal consultation with a "may affect, is likely to adversely affect" determination for the Dakota skipper and provided a Biological Opinion indicating the proposed action is not likely to jeopardize the continued existence of the species. There is no requirement to obtain concurrence for "no effect" determinations and USFWS did not provide such concurrence for piping plover, Rufa red knot, piping plover critical habitat, and Dakota skipper critical habitat. Please refer to ***Appendix F, USFWS Documentation***.

The Biological Opinion included reasonable and prudent measures that would be implemented according to specific terms and conditions (further guidance is provided in the document):

- Ensure all project personnel understand where clearly marked delineated suitable habitat is located and prior to the start of soil/vegetation disturbance activities.
- Preemptively lay out spoil pile locations, fueling, and/or staging areas to avoid, to the maximum extent practicable, the destruction of occupied, assumed occupied or potential Dakota skipper habitat identified in the project area.
- Contract a USFWS-permitted Dakota skipper surveyor to conduct occupancy surveys, using the most recent USFWS protocol, within the suitable habitat identified during botanical surveys. Provide USFWS with an annual report following any year Dakota skipper occupancy surveys are completed that details the survey findings.
- Design and implement a monitoring plan to ensure that the anticipated amount or extent of incidental take is not exceeded. Provide an annual report and shapefile to USFWS showing the actual disturbance of the proposed project, in relation to those activities that are expected to result in incidental take of the Dakota skipper. Ensure all conservation measures addressed in the description of the proposed action are formally adopted and implemented.
- Offset impacts to suitable habitat by either purchasing credits from a USFWS approved Dakota skipper bank, establishing offsite or onsite mitigation site in accordance with the most recent USFWS guidance for Dakota skipper conservation bank establishment, or an alternative plan that is approved by the USFWS.
- Terms and conditions of the Biological Opinion require notifying USFWS within three working days upon locating any dead, injured, or sick endangered or threatened species specimen.

The Biological Opinion also included discretionary recommended conservation measures that would be implemented if practicable (further guidance is provided in the document):

- Maintain a 250-meter buffer between project activities and suitable habitat and a 500-meter buffer between project activities and known occupied suitable habitat and/or designated critical habitat during the flight period (June 10 – July 25).
- Off-set adverse effects to the Dakota skipper from the project through preservation, restoration, or mitigation for impacts to grassland habitat in coordination with USFWS.
- Work proactively with the USFWS and others on Dakota skipper recovery actions. This includes identifying and remedying potential threats to Dakota skipper recovery.
- Seek technical assistance from USFWS throughout the entirety of the project.
- Consult experts and utilize the most up to date peer-reviewed research to make informed decisions when amending adaptive management into any mitigation plans.
- Promote restoration and enhancement projects for Dakota skippers and other pollinator species.

The proposed action is not anticipated to have a significant impact on threatened and endangered species due to compliance with Section 7 of the Endangered Species Act, implementation of environmental commitments and conservation measures, reasonable and prudent measures, and recommended conservation measures as practicable. The proposed action would have no effect, would not likely result in adverse effects, or would not likely jeopardize the continued existence of the species considered.

3.12 Social and Economic

The study area occurs within Ward and McHenry Counties. Three incorporated communities (i.e., Sawyer, Velva, and Voltaire) and one unincorporated community (i.e., Logan) are located within the study area. Each serve as key nodes for local transportation, commerce, and community life. The study area includes a variety of residences, businesses, schools, churches, cemeteries, recreational facilities (see ***3.14, Section 4(f) Properties***), lodging, emergency services, and agricultural resources.

Between 2010 and 2035, the population in Ward and McHenry Counties is expected to increase by approximately 32 to 58 percent, respectively, which is above average in comparison to adjacent counties (SRF Consulting Group, Inc., 2015). Growth in employment and industry are also expected to increase in both counties driven by agriculture, oil and gas, and US Government installations and services (i.e., Minot Air Force Base and associated facilities) (see ***1.4.4, Social and Economic Demand***).

The US Highway 52 corridor plays a crucial role in the regional economy, serving local and regional commuters, freight transportation, and the movement of agricultural products and equipment. This segment of road connects many smaller communities to larger cities, providing access to not only urban centers but also to homes, neighborhoods, and businesses along the corridor. This segment of US Highway 52 is classified as an interregional corridor, which prioritizes truck traffic and typically supports travel speeds between 60 and 70 mph. The USAF 91st Missile Wing has also designated the corridor as a mission-essential route for their operations. Overall traffic volumes are highest near Minot and are expected to increase by approximately 35 to 45 percent from 2023 to 2047. The corridor carries a substantial volume of truck traffic, with the highest truck percentage between Velva and Voltaire (see ***1.4.2, Existing and Future Traffic Needs***).

Public and local officials have expressed a desire for a four-lane corridor, citing safety concerns as one of the primary driving needs. Traffic volumes are expected to increase along US Highway 52 within the study area. Trucks currently make up between 21 and 32 percent of traffic within the study area. Crash rates along the corridor fall within typical ranges for similar highways, with the crash rates through Velva observed to be the highest. Approximately 22 percent of total crashes within the overall study area involved trucks. While the ***US Highway 52 Traffic Operations Report*** (appended by reference) does not indicate that the project corridor is statistically less safe than comparable highways, there is a consistent

perception among drivers that the roadway feels unsafe which is likely influenced by the high percentage of truck traffic that may lead some drivers to attempt riskier passing maneuvers as well as the rugged terrain of the Souris River valley and associated roadway features that can reduce driver comfort (see ***1.4.1, Perceived Safety Issues***).

Segment 4 is the only segment with existing pedestrian facilities. Currently, pedestrian accommodations are limited to a sidewalk along the east side of ND Highway 41, located both north and south of the US Highway 52 intersection, with a marked pedestrian crossing at the intersection. The crossing is marked with signs and pavement markings. No additional pedestrian facilities are located within the study area. There are no bicycle facilities within the study area.

3.12.1 Alternative A

Alternative A would not result in beneficial impacts on the social and economic environment as there would be no construction along the project corridor. This alternative would not address perceived safety issues, existing and future traffic needs, or social and economic demands; therefore, Alternative A would not meet the purpose and need for the proposed action.

3.12.2 Action Alternatives

The proposed action would result in beneficial impacts on the social and economic environment. These beneficial impacts would address perceived safety issues, existing and future traffic needs, and social and economic demands; therefore, the proposed action would meet the purpose and need for the proposed action. Alternative B would provide additional safety benefits compared to Alternative C as a depressed center median would provide greater protection from head-on collisions. Alternative C4 would improve pedestrian safety at the US Highway 52 and ND Highway 41 intersection by upgrading the crosswalk. Option V-1 would provide a dedicated path for both pedestrians and bicyclists, enhancing pedestrian connectivity and safety.

Expanding US Highway 52 to four lanes would better accommodate both current and projected traffic demands, while also supporting future growth along the route. As the region continues to grow, the demand for a more efficient and reliable highway system increases. The expansion would help meet these needs, support economic development, and enhance connectivity for both civilian and military purposes. In addition, expanding the corridor to four lanes would address safety concerns by increasing passing opportunities, improving sight distances, accommodating traffic more effectively, and upgrading the corridor to current roadway design standards. These improvements are predicted to reduce head-on, angle, and rear-end collisions by approximately 42 to 74 percent.

For both alternatives, expanding the roadway would bring the highway physically closer to some residences, businesses, and community services that are located along the project corridor. This physical alteration would also have traffic noise and visual resource implications (see ***3.17, Noise*** and ***3.18, Visual***).

Under Alternative B, two buildings on the south side of US Highway 52 would be removed to accommodate the roadway footprint. These consist of shed/outbuildings in Segment 2 at RP 109.85 and in Segment 3 at RP 112.60. Removals would be coordinated with affected landowners during ROW negotiations. No buildings would be impacted or relocated due to Alternative C or Option V-1. Construction limits were adjusted throughout the corridor to avoid impacts to the extent practicable, with small retaining walls as an option during landowner ROW negations where appropriate.

Construction activities would result in short-term impacts on the travel patterns of drivers along the corridor. Traffic would continue to utilize US Highway 52 during construction with the use of temporary bypasses and median crossovers, as necessary; a detour route is not anticipated. Traffic control would be utilized as needed, including signage, shoulder closures, temporary lane closures, signage, flaggers, and/or pilot cars. Frequent and open two-way communication between the USAF, the contractor, NDDOT,

and the project engineer would occur to minimize disruption to US Highway 52 as a mission essential route for the USAF 91st Missile Wing. Access to homes and businesses would be maintained during construction. Temporary mailboxes may be used as necessary during construction. Any negative impacts from construction would be temporary in nature and would be restored following construction.

Construction of the proposed action would result in a temporary increased need for construction workers, increasing construction employment opportunities, and the demand for local services associated with these personnel.

The proposed action would have an overall beneficial impact on the social and economic environment due to accommodating existing and future traffic volumes, improving safety, addressing social and economic demands, maintaining access to homes and businesses during construction, incorporating safety mechanisms during construction, temporary construction employment opportunities, and temporary increased demand for services and supplies during construction.

3.13 Cultural Resources

Section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 USC 470), as amended, requires that federally funded projects be evaluated for their effects on historic properties *listed*, or *eligible* for listing, on the National Register of Historic Places (NRHP). The Archaeological Resources Protection Act of 1979, as amended (16 USC 470aa – 470mm; Public Law 96-95) provides protection to archaeological resources and sites located on public lands and Native American lands, and provides Federal officials increased authority to better manage and protect public archaeological sites. Certain information is not included in this EA, as information concerning the nature and location of archaeological resources and traditional cultural resources is confidential.

A Class I Literature Review of the State Historical Society of North Dakota site and manuscript files was conducted on October 19, 2023. The purpose of the literature review was to determine if any cultural resources have been previously recorded or if any cultural resource inventories have been previously conducted within the area of potential effect (APE) and a surrounding 1-mile buffer.

A Class III Cultural Resource Field Inventory and Architectural Inventory were conducted within the APE in October 2023, November 2023, April 2024, June 2024, and May 2025. Traditional Cultural Specialists from the Standing Rock Sioux Tribe were present in the field for the archaeology survey. The purpose of the Class III inventory was to identify and document all cultural resources within the APE. Findings were documented in a ***Class III Cultural Resource Inventory - Architectural Sites*** and a ***Class III Cultural Resource Inventory - Archaeological Sites*** (both appended by reference).

Several sites within the APE required testing and evaluation to determine if the sites were *eligible* for inclusion in the NRHP. Testing took place May 7-14, May 20-28, and June 3-10, 2025, in accordance with a ***Cultural Resource Testing and Evaluation Plan*** (appended by reference)***.*** Findings were documented in ***Cultural Resource Testing and Evaluation Report*** (appended by reference).

A total of 32 extant non-architectural resources were identified within the APE plus one resource that had been previously destroyed and mitigated as a result of a separate project. Of the extant non-architectural resources, 15 are recommended not eligible, 12 are unevaluated, and five are recommended eligible for listing on the NRHP. A total of 48 architectural resources were identified within the APE. Of these, 43 are recommended not eligible, one is unevaluated, and four are recommended eligible for inclusion in the NRHP.

Section 106 of the NHPA requires federal agencies to consult with federally recognized Indian tribes when a project may affect properties of traditional religious and cultural significance. The Tribal Consultation committee was consulted on this project on September 4, 2024; April 8, 2025; and September 9, 2025.

3.13.1 Alternative A

Alternative A would not result in impacts on cultural resources as there would be no construction along the project corridor.

3.13.2 Action Alternatives

Cultural resources that are not eligible for listing on the NRHP generally do not warrant avoidance or further measures. However, two architectural sites consisting of cemeteries that are not eligible would be avoided by the proposed action as they are protected by State burial laws; these sites would also be monitored by an archaeologist during construction. In addition, two non-architectural sites that are not eligible for listing on the NRHP would be monitored during construction as they may have been part of a larger site, along with a third site that has been recommended eligible for listing on the NRHP.

Cultural resources that are unevaluated for listing on the NRHP generally warrant avoidance unless further work is done to assess eligibility for listing. Four unevaluated cultural resources would be avoided by the proposed action. The remainder of the unevaluated resources are associated with site leads or isolated finds, whereby no evidence of sites were identified within the APE; therefore, these resources do not warrant avoidance.

Cultural resources that are eligible for listing on the NRHP generally warrant avoidance and/or additional measures. Alternatives B and C would result in the placement of fill within one eligible resource; no excavation would occur within the resource. This site, along with the aforementioned two sites that are not eligible for listing on the NRHP, would be monitored by an archaeologist during construction. In addition, an architectural feature, a shed, would be removed under Alternative B; the shed is part of a larger site that includes an eligible architectural feature, a barn, which would not be impacted. The remaining eligible sites would be avoided by the proposed action, with non-architectural sites fenced during construction to minimize the risk of inadvertent disturbance.

The North Dakota State Historic Preservation Office (NDSHPO) has concurred with a determination that the proposed action would have "No Adverse Effect" on cultural resources that are on or eligible for listing on the NRHP, provided that the aforementioned fencing, monitoring, and avoidance stipulations are adhered to. Please refer to ***Appendix C, NDSHPO Documentation***. In addition, NDSHPO concurred with determinations for geotechnical soil borings of "No Historic Properties Affected" on March 14, 2024, and "No Adverse Effect" on cultural resources on October 23, 2024, provided the borings take place in the location and in the manner described in the documentation and provided all borrow comes from an approved source. These concurrence letters were included in two ***Categorical Exclusion by Definition Checklists for Geotechnical Soil Borings (March 2024 and December 2024)*** (both appended by reference).

Prior to construction, an unanticipated discovery plan would be developed, identifying the procedures and requirements to follow if cultural resources are discovered during construction.

The proposed action would not have a significant impact on cultural resources due to fencing, monitoring, and avoidance stipulations, and development of an unanticipated discovery plan.

3.14 Section 4(f) Properties

Section 4(f) of the Department of Transportation Act of 1966, as codified in 49 USC 303 and 23 USC 138, specifies that the Secretary shall not approve any program or project that requires the use of publicly owned land from a public park, recreation area, wildlife or waterfowl refuge, or any publicly or privately owned historic site *listed* or *eligible* for listing on the NRHP, unless (1) there is no feasible or prudent avoidance alternative to the use of the land, and (2) the action includes all possible planning to minimize harm to the property resulting from such use. A use of Section 4(f) property occurs when (1) land is

permanently incorporated into a transportation project; (2) there is temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or (3) there is a construct use.

In the event there is use of a Section 4(f) property, approval pathways may consist of applying a nationwide programmatic evaluation, preparing an individual evaluation, or making a de minimis impact determination (i.e., a determination that the proposed action results in no adverse effects). Alternately, an exception to approval may be applied in accordance with 23 CFR 774.13.

Two recreational Section 4(f) properties were identified within the study area: Sno-Trails Snowmobile Trails, managed by Snowmobile North Dakota and occurs within NDDOT roadway ROW, and the Sawyer Baseball Diamond, managed by the Sawyer School District. Please refer to ***Figure 29, Recreational Section 4(f) Properties.***

In addition, Section 4(f) also applies to cultural resources that are listed on or eligible for listing on the NRHP. These sites are discussed in ***3.13, Cultural Resources***.

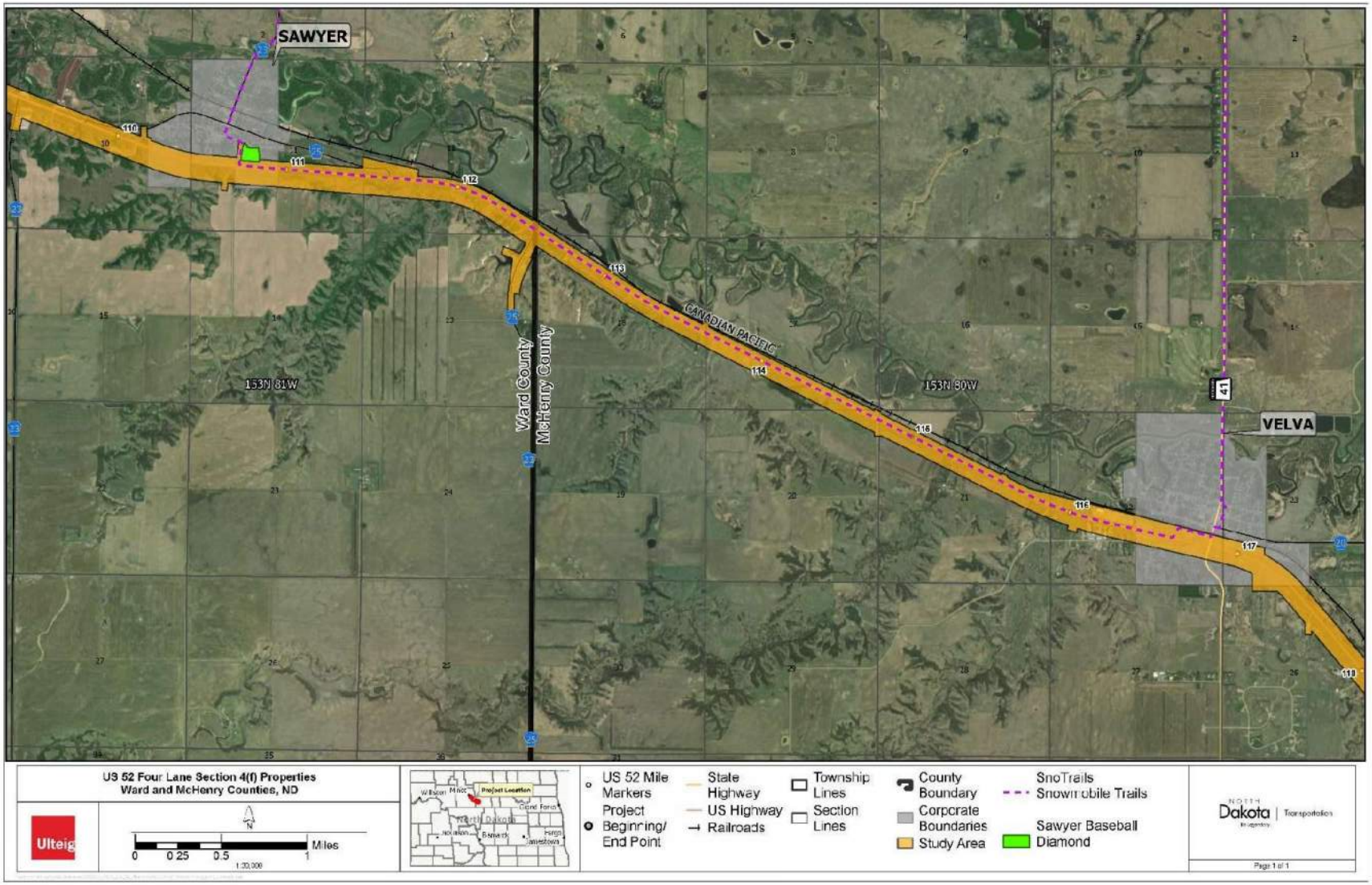


Figure 29, Recreational Section 4(f) Properties

3.14.1 Alternative A

Alternative A would not result in impacts to Section 4(f) properties as there would be no construction along the project corridor.

3.14.2 Action Alternatives

The Sawyer Baseball Diamond, located in Segment 2, would be temporarily impacted during construction under Alternative B. Approximately 0.27 acres of temporary easement would be acquired along the south side of the baseball diamond property to aid in the constructability of the project, whereby the area may be subject to stockpiling of topsoil, placement of erosion control devices, and movement of construction equipment. Temporary impacts to the property within the construction easement would not interfere with any activities, features, or attributes of the property. Access to Sawyer Baseball Diamond would be maintained during construction. Following construction, the area would be restored to pre-construction conditions including regrading and reseeding of any disturbed areas. No permanent impacts to the Sawyer Baseball Diamond would occur. On January 26, 2026, the Sawyer Public School District concurred with the conditions of the exception to Section 4(f) approval under 23 CFR 774.13(d), which pertains to temporary occupancies of land that are so minimal as to not constitute a use. Please refer to ***Appendix D, Section 4(f) Documentation***.

The Sno-Trails Snowmobile Trails would be temporarily impacted during construction by Alternatives B and C in Segments 2, 3, and 4 and Option V-1 in Segment 4. The action alternatives and optional work item would result in flat ditch bottoms, where applicable, which would follow a route similar to the existing snowmobile trail. While the use of riprap in the ditch is necessary in various locations for the proposed roadway improvements, riprap would not block or prevent use of the route by trail users such that the trail would remain functional with connectivity maintained. On January 23, 2026, Snowmobile North Dakota concurred with the conditions of the exception to Section 4(f) approval under 23 CFR 774.13(f)(3), which pertains to trails within transportation facility ROW. Please refer to ***Appendix D, Section 4(f) Documentation***.

As discussed in ***3.13, Cultural Resources,*** Alternatives B and C would result in placement of fill within an archaeological cultural resource that is eligible for listing on the NRHP. The NDSHPO has concurred with a no adverse effect determination for Section 106 NHPA and has been consulted regarding Section 4(f). As such, the exception to Section 4(f) approval under 23 CFR 774.13(b) has been applied, which pertains to archaeological resources that have minimal value for preservation in place.

The proposed action would not have a significant impact on Section 4(f) properties due to minimal temporary occupancy of the Sawyer Baseball Diamond that does not constitute a use, maintenance of trail connectivity for the Sno-Trails Snowmobile Trails, and consultation with the NDSHPO regarding the archaeological site whereby a no adverse effect Section 106 NHPA determination was made.

3.15 Infrastructure

Infrastructure within the study area includes roadways, drainage structures, flood control structures (see ***3.9, Floodplain***), railroads, utilities (see ***3.20, Utilities***), lighting, ITS technology, and fences. The CPKC rail line parallels portions of the study area on the north side of US Highway 52. An at-grade railroad crossing is located in Segment 5 at RP 120.65. Infrastructure also includes the Sawyer Water Tower, an electrical substation in Velva and another between Velva and Voltaire, and ITS technology in the form of a camera and infrared illuminator mounted on a steel pole in Segment 1 at RP 102.7.

3.15.1 Alternative A

Alternative A would not result in beneficial or adverse impacts to infrastructure as there would be no construction along the project corridor. Improvements to the existing transportation infrastructure network would not be made. Routine maintenance would occur along the existing roadways.

3.15.2 Action Alternatives

The proposed action would result in beneficial impacts to the transportation roadway network. Improvements to the existing roadway and associated infrastructure (e.g., lighting, ITS, drainage structures) would vary by segment, as described in ***Chapter 2: Alternatives***. Option V-1 would establish a dedicated shared-use path for both pedestrians and bicyclists, improving multimodal access within the community.

The CPKC rail line parallel to US Highway 52 would not be impacted by the proposed action and construction limits would remain outside of the railroad ROW. Improvements would be made to the roadway around the at-grade railroad spur crossing, while the crossing itself would remain. The proposed action would not impact the electrical substations or water tower. The proposed action would impact existing fences, which would be shifted and replaced in coordination with affected landowners.

The proposed action would have an overall benefit on transportation infrastructure and minor modifications to other existing infrastructure.

3.16 Air Quality

Pursuant to the Clean Air Act (CAA), air quality in a given region is evaluated based on the concentration of specific criteria pollutants. The USEPA, under 40 CFR Part 50, has established National Ambient Air Quality Standards (NAAQS) that define allowable concentration limits for six primary criteria pollutants:

- Ozone (O_3),
- Carbon monoxide (CO),
- Nitrogen dioxide (NO_2),
- Sulfur dioxide (SO_2),
- Particulate matter (i.e., tiny particles of solid or semi-solid material) that is equal to or less than 10 microns in diameter (PM_{10}) and particulate matter with a diameter of 2.5 microns or less ($PM_{2.5}$) and,
- Lead (Pb).

Although volatile organic compounds (VOCs) are regulated under the NAAQS program due to their role in ozone formation, specific ambient air quality standards have not been established for these pollutants.

The State of North Dakota has adopted the NAAQS and established its own State Ambient Air Quality Standards (SAAQS) for criteria pollutants, as outlined in NDAC Chapter 33-15-02-04. The NDDEQ has developed a State Implementation Plan (SIP) that outlines how the state will maintain the NAAQS and address air quality concerns. North Dakota is below all SAAQS standards for criteria pollutants, according to the North Dakota Ambient Air Quality Monitoring Program 2025 Annual Report (NDDEQ, 2025b).

The NDDEQ prepared a SIP revision in 2022 to address regional haze, in accordance with Section 308 of the federal visibility protection regulations (NDDEQ, 2022). This plan includes strategies to reduce visibility impairment caused by air pollutants, particularly in federally designated Class I areas, such as national parks, monuments, or wilderness areas. There are no federal Class I areas within the study area. The nearest Class I area is the Lostwood National Wildlife Refuge, which is located approximately 65 miles northwest of the study area.

Fugitive dust from paved roads arises from vehicle emissions, including exhaust, brake wear, and tire wear, as well as the resuspension of loose material on the roadway surface due to traffic and wind. The environmental impact of fugitive dust depends on the volume and dispersion potential of particles released into the atmosphere. Larger particles typically settle near the source, creating localized nuisance issues, while finer particles can be transported over greater distances and contribute to regional air pollution. The principal pollutant of concern associated with fugitive dust is particulate matter less than

10 microns in diameter (PM_{10}). According to the NDDEQ 2025 Annual Air Quality Report, both the state and the nearest ambient air quality monitoring site to the study area are in attainment for PM_{10} under the NAAQS. Guidance from the USEPA emphasizes the importance of implementing BMPs to control fugitive dust from roads, construction, agriculture, and industrial activities (USEPA, 2022).

3.16.1 Alternative A

Alternative A may result in impacts to air quality due to increased emissions (i.e., fugitive dust, criterial pollutants) associated with projected traffic volume increases.

3.16.2 Action Alternatives

The proposed action has the potential to affect local air quality conditions, primarily through construction-related emissions and changes in traffic patterns. During construction, temporary increases in airborne pollutants such as particulate matter (PM), nitrogen oxides (NOx), carbon monoxide (CO), and volatile organic compounds (VOCs) may occur due to equipment operation, material handling, and vehicle activity. These emissions are expected to be localized and short-term, with impacts diminishing once construction is complete. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have slightly more potential to impact air quality during construction than Alternative C due to a larger construction footprint. Option V-1 would result in additional potential to impact air quality during construction due to additional construction footprint (see ***Table 6, Earthwork Impacts***). During construction, impacts on air quality would be minimized by implementing dust control and properly maintaining equipment.

During operation of the roadway, changes in traffic volume and flow may influence long-term air quality. Since the expansion of the current two-lane highway into a four-lane highway would improve traffic efficiency and reduce congestion, it could lead to lower emissions per vehicle mile traveled. However, increased capacity may also induce additional traffic that currently uses other routes, potentially offsetting these benefits within the study area. The study area is currently in attainment for SAAQS and the proposed action is not expected to cause exceedances.

The proposed action would not have a significant impact on air quality due to dust control and equipment maintenance during construction, lack of impairment to any Class I areas, lack of contribution to violation of SAAQS, lack of substantial increase in particulate matter concentrations, and temporary nature of construction emissions.

3.17 Noise

Traffic noise is regulated under 23 CFR Part 772, Procedures for Abatement of Highway Traffic Noise and Construction Noise. A traffic noise analysis is required by law for federally funded projects and by NDDOT policy for projects requiring federal authorization that meet the definition of a Type I project. The proposed action meets the definition of a Type I project due to the construction of a highway at a new location and the physical alteration of an existing highway involving substantial changes in horizontal alignment. Accordingly, a ***Traffic Noise Analysis Report*** (appended by reference) was prepared in accordance with 23 CFR Part 772, the FHWA Highway Traffic Noise Analysis and Abatement Policy Guidance (2011), and the NDDOT Noise Policy and Guidance. The purpose of the noise analysis was to determine the existing and projected future traffic noise levels for the no action alternative and action alternatives.

As part of the noise analysis, a buffer (500 feet from the proposed roadway alternatives) was established as a noise study area. Activity categories, land use classifications used by the FHWA, were applied to the properties within the noise study area. Receptors were then placed in the model at various locations within the noise study area to represent areas of frequent human use where traffic noise is studied.

To determine the noise levels along the corridor, FHWA Traffic Noise Model 2.5 was used to develop existing conditions (2023) noise model, future (2047) no-build conditions model, and future (2047) build conditions model for each alternative in each segment. According to the NDDOT Noise Policy and Guidance, a traffic noise impact occurs when one of the following two conditions are met:

- Traffic-generated noise levels are within 1 A-weighted decibels (dB(A)) of the FHWA Noise Abatement Criteria (NAC).
- An increase of 15 dB(A) is projected to occur regardless of the absolute noise level, either upon project completion or projected 20 years hence.

If a receptor is found to be impacted, noise abatement, such as a noise wall, must be considered.

3.17.1 Alternative A

Under Alternative A, the new roadway would not be constructed; therefore, noise levels along the corridor would increase gradually in the future as traffic levels are projected to increase along the corridor.

For the Alternative A existing conditions (2023) scenario, traffic noise levels within the noise study area ranged from 49.2 to 67.1 dB(A). No receptors under the existing conditions meet or exceed the FHWA NAC.

For the Alternative A future (2047) scenario, traffic noise levels ranged from 51.0 to 68.2 dB(A). Six receptors along the corridor would result in impacts as the noise levels meet or exceed the FHWA NAC. None of the receptors under the future no-build scenario would have an increase of 15 dB(A) from the existing to future conditions.

The traffic noise study identified impacts for receptors in the future no-build (Alternative A) condition. Though there are modeled impacted receptors with the future (2047) no-build alternative, the NDDOT does not have a program for, or consider noise abatement for Type II projects (i.e., noise abatement on an existing highway); therefore, noise abatement was not analyzed for Alternative A.

3.17.2 Action Alternatives

The proposed action would result in changes to the vertical and horizontal location of traffic along the corridor, altering the noise environment. In addition, noise levels along the corridor would increase gradually in the future as traffic levels are projected to increase along the corridor.

For the Alternative B future (2047) scenario, traffic noise levels ranged from 51.1 to 67.3 dB(A). Three receptors along the corridor would result in impacts as the noise levels meet or exceed the FHWA NAC. None of the receptors under the Alternative B future build scenario would have an increase of 15 dB(A) from the existing to future conditions.

For the Alternative C future (2047) scenario, traffic noise levels ranged from 49.1 to 68.0 dB(A). Four receptors along the corridor would result in impacts as the noise levels meet or exceed the FHWA NAC. None of the receptors under the Alternative C future build scenario would have an increase of 15 dB(A) from the existing to future conditions.

Seven noise abatement walls (i.e., walls 1 – 7) were analyzed for impacts to receptors in the future build conditions (Alternatives B and C). Noise abatement walls 1 and 2 were evaluated in Segment 3, noise abatement wall 3 was evaluated in Segment 4, and noise abatement walls 4 - 7 were evaluated in Segment 6. For noise abatement walls 1, 2, and 3, the modeled barriers were unable to reduce the traffic noise levels by at least 5 dB(A) for 80 percent of the first-row receptors; therefore, the walls in these locations were not considered feasible and reasonableness was not evaluated.

Noise abatement walls 4, 5, 6, and 7, would reduce traffic noise levels by at least 5 dB(A) for 100% of first row receptors located in the noise study area and were considered feasible; however, traffic noise abatement is not recommended for impacts in these locations under Alternative B and Alternative C because the noise abatement walls were not deemed to be reasonable. They were not considered reasonable as the cost per benefited receptor exceeds NDDOT's cost effectiveness and the noise reduction design goal was not met, which requires at least a 10 dB(A) reduction in noise for 80 percent of benefited first-row receptors.

The proposed action would result in temporary impacts on the noise environment during construction. The temporary construction noise would vary based on the type of equipment used, the area the equipment is used in, and the distance from the noise source to the receptors. Construction noise would be localized, short-term, and intermittent during operation. Construction noise impacts would be reduced by implementing BMPs (limiting construction hours, installing mufflers on engines, etc.)

The proposed action would not have a significant impact on highway traffic noise due to compliance with 23 CFR 772; localized, short term, intermittent nature of construction noise; and BMPs implemented during construction. While traffic noise impacts were identified during the analysis and abatement was considered; the proposed abatement was considered feasible, but not reasonable, in accordance with the NDDOT Noise Policy and Guidance. Therefore, abatement is not recommended for the proposed action.

3.18 Visual

The FHWA's Guidelines for the Visual Impact Assessment of Highway Projects (FHWA, 2015) provides guidance on how to evaluate impacts on visual quality for roadway projects, which is based on visual resources, visual character, and viewer perception of viewsheds. Viewsheds are the whole of what a viewer can see from a given vantage point. Viewsheds are considered 'static' when seen from a particular point (e.g., from a scenic overlook) and 'dynamic' when seen in sequence while moving (e.g., from a moving vehicle). Visual resources are the natural and cultural (i.e., developed) features of the environment that can be seen in a viewshed. When taken together, visual resources make up the visual character of a viewshed and contribute to the overall impression that a viewer has of the area.

Viewers associated with roadways consist of neighbors and travelers. The perception viewers have of visual resources in a viewshed determines the visual quality of the area. In a natural environment, visual quality is based on whether visual resources contribute to, or detract from, a sense of natural harmony. In a cultural environment, visual quality is based on whether visual resources contribute to, or detract from, a sense of orderliness.

Visual resources in the study area include topography, vegetation, aquatic resources, developed areas, infrastructure, and buildings. The viewsheds within the study area range from the urban areas of Logan, Sawyer, Velva, and Voltaire, to rural residences and businesses, to undeveloped areas including pasture/hayland, cropland, grassland, waterbodies, and woodlands. Visual quality is subjective to the viewer; for example, residential or recreational viewers may place higher value on natural harmony while commercial or industrial viewers may place higher value on cultural order. Please refer to ***Figure 30, US Highway 52 Viewshed*** for a visual of US Highway 52 as an example of the landscape.

Protected visual resources are those that are afforded protection by local, state, or federal plans or policies, or where overwhelming community interest warrants protection. No protected visual resources were identified within or adjacent to the study area.

Figure 30, US Highway 52 Viewshed

3.18.1 Alternative A

Alternative A would not result in impacts on visual resources as there would be no construction along the project corridor.

3.18.2 Action Alternatives

The proposed action would permanently and temporarily impact existing visual resources within the study area by reshaping terrain, modifying vegetation and infrastructure, and under Alternative B, removing two buildings. These changes would impact the viewshed for neighbors and travelers. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have a slightly greater impact on visual resources and viewsheds than Alternative C due to a larger construction footprint. Option V-1 would result in additional impact on visual resources and viewsheds (see ***Table 6, Earthwork Impacts***). The new and modified visual resources would be consistent with existing transportation facilities in the area. As such, impacts on visual resources are generally anticipated to be compatible with the existing visual character for neighbors and travelers, and adverse impacts on visual quality are not anticipated.

Construction activities, primarily site preparation, are anticipated to produce short-term visible emissions of particulate matter in the form of fugitive dust. These emissions are expected to be most pronounced during initial site preparation and will fluctuate based on the phase of construction, intensity of activity, and prevailing weather and wind conditions. To minimize these impacts, appropriate dust control measures, such as watering and restricting vehicle access, would be implemented as needed.

The proposed action would not have a significant impact on visual resources due to consistency with existing transportation facilities in the area, as well as the temporary and localized nature of construction activities and dust control measures.

3.19 Hazardous Waste

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. § 9601(14)], a hazardous substance is defined as any material listed under several federal environmental statutes, including the CWA, CAA, Solid Waste Disposal Act, and Toxic Substances Control Act. These substances may include elements, compounds, mixtures, or wastes that pose a risk to human health or the environment. However, the definition excludes petroleum products, such as crude oil and its fractions, unless they are specifically listed as hazardous. It also excludes natural gas, natural gas liquids, liquefied natural gas, and synthetic gas used as fuel.

The Resource Conservation and Recovery Act (RCRA) governs the generation, handling, storage, treatment, and disposal of solid and hazardous wastes to prevent releases to the environment and protect human health. Facilities or properties that manage or store substantial quantities of hazardous substances or wastes and have the potential to release these materials, or have documented releases, are subject to reporting and regulatory oversight under CERCLA, RCRA, and related state programs. The NDDEQ and USEPA maintain databases to monitor and track such facilities.

A review of NDDEQ environmental incident records identified several historical spill and release incidents in the vicinity of the study area (i.e., intersecting sections), primarily involving petroleum products, hydraulic oil, saltwater, or agricultural materials. Most incidents were small in volume and have been documented as cleaned up, closed, or requiring no further action; one incident has an unknown status and one site has completed a Phase II Environmental Site Assessment with no additional information available. In addition, two leaking underground storage tank (LUST) sites have been identified within the study area, each of which have received either cleanup completion or a closure letter. Multiple underground storage tanks (USTs), both active and inactive, are also present in the study area, primarily associated with commercial or utility facilities. Available records indicate no known hazardous materials sites requiring active remediation within the study area. Please refer to ***Table 13, NDDEQ Environmental Incidents, Table 14, Leaking Underground Storage Tanks,*** and ***Table 15, Underground Storage Tanks***.

Table 13, NDDEQ Environmental Incidents

Responsible Party	Location	Date of Incident	Material Spilled	Medium Affected	Current Status
Unknown	Section 5, Township 153 North, Range 81 West	August 14, 1985	4,000 Gallons Crude Oil, 10,000 Gallons Saltwater	N/A	Unknown
Cenex C-Store	Section 22, Township 153 North, Range 80 West	February 6, 2001	13.5 Gallons Super No-lead Gasoline	N/A	Spill contained; clean up completed
Canadian Pacific Railway	Section 25, Township 153 North, Range 80 West	June 26, 2001	20 Gallons Hydraulic Oil	N/A	Reviewed - No Action Required
Goose Neck Implement	Section 22, Township 153 North, Range 80 West	January 1, 2009	1,650 Gallons Hydraulic Oil	Soil	Spill contained; clean up completed; residual material withing boundary of concrete containment
Ratzlaff Motor Express, Inc.	Section 26, Township 153 North, Range 80 West	November 20, 2014	15 Gallons Engine Oil	Water and Soil	Clean up concluded: December 12, 2014
Dakota Midland Grain	Section 6, Township 152 North, Range 79 West	March 10, 2015	10 Gallons Diesel Fuel	Soil	Spill contained; clean up completed
Farmers Union Oil Company of Velva	Section 22, Township 153 North, Range 80 West	September 1, 2017	15 Gallons Roadmaster Diesel Fuel	Asphalt	Spill contained; clean up completed
Enerbase	Section 23, Township 153 North, Range 80 West	March 3, 2023	Dry Fertilizer	Soil	Phase II Environmental Site Assessment completed

Table 14, Leaking Underground Storage Tanks

Facility	Location	County	LUST Status	LUST Status Date
Erv's Service	Velva, ND	McHenry	Site Cleanup Completed	11/9/1994
Cenex 52 C Store	Velva, ND	McHenry	Closure Letter	6/28/2018

Table 15, Underground Storage Tanks

Facility	Location	County	Facility Status
Erv's Service	Velva, ND	McHenry	Inactive
Cenex 52 C Store	Velva, ND	McHenry	Inactive
Parkland USA Corporation	Velva, ND	McHenry	Inactive
KS Launder-it	Velva, ND	McHenry	Inactive
Flowers Too	Velva, ND	McHenry	Inactive
Enerbase Velva	Velva, ND	McHenry	Active
Verendrye Electric	Velva, ND	McHenry	Active
E and D Auto Sales	Sawyer, ND	Ward	Inactive

3.19.1 Alternative A

Alternative A would not result in impacts related to hazardous waste as there would be no construction along the project corridor.

3.19.2 Action Alternatives

There are no known hazardous materials sites requiring active mitigation within the study area. However, given that NDDEQ incidents and underground storage tanks are within and/or adjacent to the study area, the proposed action has the potential to encounter hazardous materials during construction activities. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have a slightly greater potential to encounter hazardous materials during construction activities than Alternative C due to a larger construction footprint. Alternative C in Segment 4 would include earthwork immediately adjacent to a parcel known to contain an inactive UST, which was a former gas station on the south side of US Highway 52 near RP 116.75 in Velva; work in this area would occur within existing NDDOT ROW and impacts to the UST are not anticipated. Option V-1 would result in additional potential to encounter hazardous materials due to additional construction footprint (see ***Table 6, Earthwork Impacts***). If hazardous material is inadvertently discovered during construction activities, they would be handled and disposed of properly in accordance with the NDDOT Standard Specifications for Road and Bridge Construction for hazardous material.

Construction activities may involve the use of small quantities of hazardous materials. These materials are expected to be used in limited amounts and for brief periods during the construction phase. To avoid and prevent the release of these materials, proper handling, storage, and disposal would occur. While minor incidents such as accidental spills or equipment leaks could occur, any such releases would be minimized to the extent practicable and promptly contained and managed in accordance with the SPCC plan.

The proposed action would not have a significant impact on hazardous waste due to the lack of known hazardous substances or wastes affecting the proposed action, lack of facilities that could potentially release hazardous substances or wastes that would affect the proposed action, proper hazardous waste handling and disposal, and implementation of an SPCC plan.

3.20 Utilities

Utilities within the study area include fiber/telecommunications, gas, rural water, sanitary sewer, overhead and underground electricity, and USAF missile cable lines. Known utility companies/entities within the study area include:

- ADM
- Basin Electric Cooperative
- CENEX Pipeline
- Central Power Electric Cooperative
- City of Velva
- Midcontinent Communications
- Montana-Dakota Utilities
- NDDOT
- Northern Prairie Rural Water Association
- Otter Tail Power Company
- Souris River Telecommunications
- USAF Cable Affairs
- Verendrye Electric Cooperative
- Western Area Power Administration (WAPA)

3.20.1 Alternative A

Alternative A would not result in impacts to utilities as there would be no construction along the project corridor.

3.20.2 Action Alternatives

The proposed action would impact existing overhead and underground utilities due to horizontal and vertical changes to the roadway corridor. In Segments 2, 3 and 5, Alternative B would have a greater total impact on utilities than Alternative C. In Segments 1 and 6, Alternative C would have a greater total impact on utilities than Alternative B. In Segment 4, Alternative C4 and/or Option V-1 would result in additional impacts to utilities. Please refer to ***Table 16, Estimated Impacts on Utilities.***

Table 16, Estimated Impacts on Utilities

Segment	Alternative	Electric Underground (linear feet)	Electric Overhead (linear feet)	Gas Underground (linear feet)	Fiber Optic Underground (linear feet)	Water Underground (linear feet)	Sanitary Sewer Underground (linear feet)	Total Linear Feet	Utility Poles (each)
Segment 1-6	Alternative A	0	0	0	0	0	0	**0**	0
Segment 1	Alternative B1	10,400	1,500	420	88,700	31,100	0	**132,120**	9
	Alternative C1	11,600	1,300	1,090	77,900	42,200	0	**134,090**	3
Segment 2	Alternative B2	14,900	7,900	0	69,700	24,300	0	**116,800**	36
	Alternative C2	9,800	4,400	0	59,700	20,600	0	**94,500**	16
Segment 3	Alternative B3	4,400	36,100	0	37,500	14,500	0	**92,500**	116
	Alternative C3	4,400	28,300	0	34,400	20,100	0	**87,200**	63
Segment 4	Alternative C4 without Option V-1	6,039	623	0	2,058	85	200	**9,005**	2
	Alternative C4 with Option V-1	6,039	1,241	0	2,676	85	200	**10,241**	3
	Option V-1 without Alternative C4	0	618	0	618	0	0	**1,236**	1
Segment 5	Alternative B5	4,300	10,600	0	48,900	1,000	11,400	**76,200**	14
	Alternative C5	5,500	14,300	0	35,700	2,700	11,400	**69,600**	22
Segment 6	Alternative B6	0	9,400	0	12,000	0	0	**21,400**	17
	Alternative C6	400	9,600	0	12,100	0	0	**22,100**	17

Segment 1 alternatives would impact the following companies/entities: Basin Electric Cooperative, Cenex Pipeline, Midcontinent Communications, NDDOT, Northern Prairie Rural Water Association, Souris River Telecommunications, Verendrye Electric, and WAPA.

Segment 2 alternatives would impact the following companies/entities: Central Power Electric Cooperative, Midcontinent Communications, Northern Prairie Rural Water Association, Otter Tail Power Company, Souris River Telecommunications, and Verendrye Electric Cooperative.

Segment 3 alternatives would impact the following companies/entities: Midcontinent Communications, Norther Prairie Rural Water Association, Souris River Telecommunications, USAF Cable Affairs, and Verendrye Electric Cooperative.

Segment 4 alternative/option would impact the following companies/entities: ADM, City of Velva, Midcontinent Communications, Montana-Dakota Utilities, Northern Prairie Rural Water Association, Otter Tail Power Company, Souris River Telecommunications, and Verendrye Electric.

Segment 5 alternatives would impact the following companies/entities: ADM, Midcontinent Communications, Norther Prairie Rural Water Association, Souris River Telecommunications, and Verendrye Electric.

Segment 6 alternatives would impact the following companies/entities: Midcontinent Communications, Souris River Telecommunications, USAF Cable Affairs, and Verendrye Electric.

Impacts to existing utilities have been avoided and minimized to the extent practicable. Utility coordination regarding impacts and relocations has started and will continue to occur throughout final design. Short-term service interruptions of utilities may occur during construction activities. Any interruptions would be temporary in nature and coordinated with the applicable utility company/entity. Utility relocation plans, schedule, and applicable environmental commitments will be determined during utility coordination meetings. All information will be summarized in the final utility coordination plans and special provision included in the final plans. Formal agreements will be established between the NDDOT and affected utility companies.

To reduce the risk of flight collisions during the spring and fall whooping crane migration, NDDOT would request that utility companies install bird diverters placed at a 1:1 ratio per linear foot on relocated overhead utility lines to reduce the risk of flight collisions on any raised, lowered, and/or moved overhead utilities lines that occur within 1 mile of whooping crane stopover habitat. Each utility company would 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 areas.

The intent of this EA is to analyze and clear utility impacts and relocations that would occur within the project study area. If a utility decides to relocate outside of the existing study area, the utility company would be responsible for environmentally clearing and permitting their new corridor.

The proposed action would not have a significant impact on utilities due to utility relocations, utility agreements, and environmental commitments.

3.21 Irreversible and Irretrievable Commitments of Resources

NEPA requires an evaluation of irreversible and irretrievable commitments of resources that may result from implementing a proposed action. An irreversible or irretrievable commitment of resources refers to the use or loss of natural, cultural, or economic resources that cannot be recovered or restored once they have been expended or altered, even after the activity has concluded. These commitments typically involve the permanent use of nonrenewable resources, long-term environmental changes, or the dedication of land to a specific use that precludes other options. However, short-term uses of resources that cannot be reclaimed such as fuel, paper, and other consumables are also considered irretrievable.

Human labor and financial investments are likewise treated as irretrievable, as they are dedicated to the project and unavailable for other purposes. Additionally, the destruction or alteration of natural resources that limits future use options may be considered an irreversible impact.

3.21.1 Alternative A

Alternative A would not result in commitments of irreversible or irretrievable resources due to construction activities, though routine maintenance activities would continue. There would not be more efficient flow of traffic and associated reduced energy consumption.

3.21.2 Action Alternatives

The proposed action would result in irreversible and irretrievable commitment of resources due to construction activities. Construction activities would result in irreversible commitments of human labor, vehicles, equipment, and other resources. Apart from Segment 4, where Alternative C is the only action alternative, Alternative B would have a slightly greater commitment of resources during construction than Alternative C due to a larger construction footprint. Option V-1 would result in additional commitment of resources due to additional construction footprint (see ***Table 6, Earthwork Impacts***).

A significant demand on energy resources and their availability would not occur in the region due to construction activities. The commitment of these resources is undertaken in a regular and authorized manner. After the transition from a two-lane to a four-lane highway, the proposed action would result in more efficient flow of traffic and reduced energy consumption as a result.

The proposed action would not have a significant impact on irreversible and irretrievable resources due to the commitment of resources undertaken in a regular and authorized manner, overall reduction in resources consumed, and more efficient energy use.

3.22 Impact Categories Not Relevant to Proposed Action

3.22.1 Wild and Scenic Rivers

No wild and scenic rivers occur within the study area.

3.22.2 Coastal Barriers

No coastal barriers occur within the study area.

3.22.3 Coastal Zone

No coastal zones occur within the study area.

3.22.4 Section 6(f) Properties

No Section 6(f) properties occur within the study area.

3.23 Summary

Please refer to ***Table 17, Segment 1 Impact Summary and Comparison; Table 18, Segment 2 Impact Summary and Comparison; Table 19, Segment 3 Impact Summary and Comparison; Table 20, Segment 4 Impact Summary and Comparison; Table 21, Segment 5 Impact Summary and Comparison; and Table 22, Segment 6 Impact Summary and Comparison*** for a summary of the impacts associated with each alternative and optional work item per segment.

Table 17, Segment 1 Impact Summary and Comparison

Resource Area	Alternative A	Alternative B1 - Depressed Median	Alternative C1 - Flush Median
Geology	➢ No impacts.	➢ Permanent earthwork impacting 308.18 acres. ➢ Temporary earthwork impacting 42.99 acres. ➢ Potential to impact paleontological resources during construction.	➢ Permanent earthwork impacting 262.38 acres. ➢ Temporary earthwork impacting 28.89 acres. ➢ Slightly lower potential to impact paleontological resources during construction than Alternative C.
Soils	➢ No impacts.	➢ Net addition of 34.18 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.	➢ Net addition of 36.51 acres of impervious surface area. ➢ Slightly higher potential for stormwater runoff, erosion, and sedimentation than Alternative B. ➢ Similar temporary impacts on soil from construction activities as Alternative B.
Land Use	➢ No impacts.	➢ Permanent ROW acquisition of 65.0 acres converted into transportation corridor. ➢ Temporary easement acquisition of 20.5 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.	➢ Permanent ROW acquisition of 33.3 acres converted into transportation corridor. ➢ Temporary easement acquisition of 19.4 acres for construction. ➢ Same consistency with goals identified in local, state, and regional plans for transportation and land use as Alternative B.
Farmland	➢ No impacts.	➢ Permanent conversion of 6.77 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.	➢ Permanent conversion of 11.13 acres of prime farmland. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative B.
Vegetation	➢ No impacts.	➢ Permanent conversion of 34.18 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 351.17 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.	➢ Permanent conversion of 36.51 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 292.26 acres of various vegetation types. ➢ Slightly lower potential to spread noxious weeds during construction than Alternative B.
Water Resources	➢ No impacts.	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative B.
Wetlands and Other Waters	➢ No impacts.	➢ Permanent impacts on 1.048 acres of wetlands. ➢ Temporary impacts on 0.505 acres of wetlands. ➢ Permanent impacts on 1.232 acres of other waters. ➢ Temporary impacts on 0.445 acres of other waters.	➢ Permanent impacts on 0.699 acres of wetlands. ➢ Temporary impacts on 0.438 acres of wetlands. ➢ Permanent impacts on 1.012 acres of other waters. ➢ Temporary impacts on 0.319 acres of other waters.
Water Quality	➢ No impacts.	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.	➢ Slightly lower potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative B. ➢ Slightly higher potential to impact water quality from runoff during operation than Alternative B.
Floodplain	➢ No impacts.	➢ Work in Special Flood Hazard Areas.	➢ Work in Special Flood Hazard Areas.

Resource Area	Alternative A	Alternative B1 - Depressed Median	Alternative C1 - Flush Median
Wildlife and Fisheries	➢ No impacts.	➢ Direct conversion of 210.88 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.	➢ Direct conversion of 173.30 acres of potential habitat into a transportation corridor. ➢ Same potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Same potential for mortality to species with limited mobility due to construction activities as Alternative B ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative B. ➢ Same no impacts anticipated for bald or golden eagles as Alternative B.
Threatened and Endangered Species	➢ No impacts.	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.	➢ Same effect determinations as Alternative B
Social and Economic	➢ No improvement on transportation network. ➢ Continuation of traffic congestion; no improvement to safety or business productivity. ➢ No increased temporary demand for construction contractors or local services during construction.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ No removal of buildings ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with less protection from head-on collisions than Alternative B. ➢ Same no removal of buildings as Alternative B. ➢ Similar impact from roadway becoming closer to homes, businesses, and community services as Alternative B. ➢ Same increased temporary demand for construction contractors and local services during construction as Alternative B. ➢ Similar temporary construction impact on travel patterns, noise environment, and visual environment as Alternative B.
Cultural Resources	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.	➢ Same affect determination as Alternative B. ➢ Slightly lower potential for unanticipated discovery of cultural resources as Alternative B.
Section 4(f) Properties	➢ No impacts.	➢ No impact to recreational Section 4(f) properties. ➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied.	➢ Same no impact to recreational Section 4(f) properties as Alternative B. ➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative B.
Infrastructure	➢ No adverse or beneficial impacts on infrastructure. ➢ Continuation of wear and ongoing maintenance on existing roadways.	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.	➢ Same beneficial impact on transportation infrastructure as Alternative B. ➢ Same impacted fences would be shifted as Alternative B.
Air Quality	➢ Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.	➢ Slightly lower potential to impact air quality during construction activities than Alternative C. ➢ Same potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase as Alternative B.

Resource Area	Alternative A	Alternative B1 - Depressed Median	Alternative C1 - Flush Median
Noise	➢ Traffic noise would increase as traffic volumes increase. ➢ Alternative A future (2047) scenario traffic noise levels ranged from 51.0 to 68.2 dB(A) with six impacted receptors. ➢ No noise walls considered for Alternative A.	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ No impacted receptors or noise walls considered in Segment 1. ➢ Temporary noise impacts during construction.	➢ Similar traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically as Alternative B. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Similar no impacted receptors or noise walls considered in Segment 1 as Alternative B. ➢ Same temporary noise impacts during construction as Alternative B.
Visual	➢ No impacts.	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.	➢ Slightly lower temporary and permanent impact on visual resources and viewshed than Alternative B, but same generally compatible with existing visual character and no impact on visual quality is expected as Alternative B.
Hazardous Waste	➢ No impacts.	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative B. ➢ Slightly lower potential to encounter hazardous materials during construction than Alternative B. ➢ Same potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative B.
Utilities	➢ No impacts.	➢ Removal/relocation of nine utility poles. ➢ Impacts to 132,120 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.	➢ Removal/relocation of three utility poles. ➢ Impacts to 134,093 linear feet of utilities. ➢ Same potential temporary short term service interruptions during relocations as Alternative B.
Irreversible and Irretrievable Commitments of Resources	➢ No commitment of resources for construction. ➢ Commitment of resources for routine maintenance. ➢ No increased efficiency to flow of traffic during operation with resulting reduced energy consumption.	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.	➢ Slightly lower commitment of resources during construction than Alternative B. ➢ Same no significant demand on energy resources or their availability as Alternative B. ➢ Same more efficient flow of traffic during operation with resulting reduced energy consumption as Alternative B.

Table 18, Segment 2 Impact Summary and Comparison

Resource Area	Alternative A	Alternative B2 - Depressed Median	Alternative C2 - Flush Median
Geology	➢ No impacts.	➢ Permanent earthwork impacting 146.18 acres. ➢ Temporary earthwork impacting 20.62 acres. ➢ Potential to impact paleontological resources during construction.	➢ Permanent earthwork impacting 109.02 acres. ➢ Temporary earthwork impacting 15.34 acres. ➢ Slightly lower potential to impact paleontological resources during construction than Alternative B.
Soils	➢ No impacts.	➢ Net addition of 21.17 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.	➢ Net addition of 22.06 acres of impervious surface area. ➢ Slightly greater potential for stormwater runoff, erosion, and sedimentation than Alternative B. ➢ Similar temporary impacts on soil from construction activities as Alternative B.

Resource Area	Alternative A	Alternative B2 - Depressed Median	Alternative C2 - Flush Median
Land Use	➢ No impacts.	➢ Permanent ROW acquisition of 26.4 acres converted into transportation corridor. ➢ Temporary easement acquisition of 7.8 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.	➢ Permanent ROW acquisition of 9.9 acres converted into transportation corridor. ➢ Temporary easement acquisition of 1.5 acres for construction. ➢ Same consistency with goals identified in local, state, and regional plans for transportation and land use as Alternative B.
Farmland	➢ No impacts.	➢ Permanent conversion of 3.75 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.	➢ Permanent conversion of 1.3 acres of prime farmland. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative B.
Vegetation	➢ No impacts.	➢ Permanent conversion of 21.17 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 166.80 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.	➢ Permanent conversion of 22.06 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 124.36 acres of various vegetation types. ➢ Slightly lower potential to spread noxious weeds during construction than Alternative B.
Water Resources	➢ No impacts.	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative B.
Wetlands and Other Waters	➢ No impacts.	➢ Permanent impacts on 1.074 acres of wetlands. ➢ Temporary impacts on 0.313 acres of wetlands. ➢ Permanent impacts on 0.053 acres of other waters. ➢ Temporary impacts on 0.011 acres of other waters.	➢ Permanent impacts on 0.702 acres of wetlands. ➢ Temporary impacts on 0.208 acres of wetlands. ➢ Permanent impacts on 0.060 acres of other waters. ➢ Temporary impacts on 0.007 acres of other waters.
Water Quality	➢ No impacts.	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.	➢ Slightly lower potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative B ➢ Slightly higher potential to impact water quality from runoff during operation than Alternative B.
Floodplain	➢ No impacts.	➢ Work in Special Flood Hazard Areas. ➢ Impacts to Sawyer flood control structure.	➢ Work in Special Flood Hazard Areas. ➢ Same impacts to Sawyer flood control structure as Alternative B.
Wildlife and Fisheries	➢ No impacts.	➢ Direct conversion of 137.12 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.	➢ Direct conversion of 117.78 acres of potential habitat into a transportation corridor. ➢ Same potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Same potential for mortality to species with limited mobility due to construction activities as Alternative B ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative B. ➢ Same no impacts anticipated for bald or golden eagles as Alternative B.
Threatened and Endangered Species	➢ No impacts.	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.	➢ Same effect determinations as Alternative B

Resource Area	Alternative A	Alternative B2 - Depressed Median	Alternative C2 - Flush Median
Social and Economic	➢ No improvement on transportation network. ➢ Continuation of traffic congestion; no improvement to safety or business productivity. ➢ No increased temporary demand for construction contractors or local services during construction.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ Removal of one shed/outbuilding. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with less protection from head-on collisions than Alternative B. ➢ No removal of buildings. ➢ Similar impact from roadway becoming closer to homes, businesses, and community services as Alternative B. ➢ Same increased temporary demand for construction contractors and local services during construction as Alternative B. ➢ Similar temporary construction impact on travel patterns, noise environment, and visual environment as Alternative B.
Cultural Resources	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.	➢ Same affect determination as Alternative B. ➢ Slightly lower potential for unanticipated discovery of cultural resources as Alternative B.
Section 4(f) Properties	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied. ➢ Temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied. ➢ Temporary impact on Sawyer Baseball Diamond with temporary occupancy Section 4(f) exception applied.	➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative B. ➢ Same temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied as Alternative B. ➢ No impact on Sawyer Baseball Diamond.
Infrastructure	➢ No adverse or beneficial impacts on infrastructure. ➢ Continuation of wear and ongoing maintenance on existing roadways.	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.	➢ Same beneficial impact on transportation infrastructure as Alternative B. ➢ Same impacted fences would be shifted as Alternative B.
Air Quality	➢ Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.	➢ Slightly lower potential to impact air quality during construction activities than Alternative B. ➢ Same potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase as Alternative B.
Noise	➢ Traffic noise would increase as traffic volumes increase. ➢ Alternative A future (2047) scenario traffic noise levels ranged from 51.0 to 68.2 dB(A) with six impacted receptors. ➢ No noise walls considered for Alternative A.	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ No impacted receptors or noise walls considered in Segment 2. ➢ Temporary noise impacts during construction.	➢ Similar traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically as Alternative B. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Similar no impacted receptors or noise walls considered in Segment 2 as Alternative B. ➢ Same temporary noise impacts during construction as Alternative B.
Visual	➢ No impacts.	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.	➢ Slightly lower temporary and permanent impact on visual resources and viewshed than Alternative B, but same generally compatible with existing visual character and no impact on visual quality expected as Alternative B.

Resource Area	Alternative A	Alternative B2 - Depressed Median	Alternative C2 - Flush Median
Hazardous Waste	➢ No impacts.	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative B. ➢ Slightly lower potential to encounter hazardous materials during construction than Alternative B. ➢ Same potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative B.
Utilities	➢ No impacts.	➢ Removal/relocation of 36 utility poles. ➢ Impacts to 116,836 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.	➢ Removal/relocation of 16 utility poles. ➢ Impacts to 94,516 linear feet of utilities. ➢ Same potential temporary short term service interruptions during relocations as Alternative B.
Irreversible and Irretrievable Commitments of Resources	➢ No commitment of resources for construction. ➢ Commitment of resources for routine maintenance. ➢ No increased efficiency to flow of traffic during operation with resulting reduced energy consumption.	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.	➢ Slightly lower commitment of resources during construction than Alternative B. ➢ Same no significant demand on energy resources or their availability as Alternative B. ➢ Same more efficient flow of traffic during operation with resulting reduced energy consumption as Alternative B.

Table 19, Segment 3 Impact Summary and Comparison

Resource Area	Alternative A	Alternative B3 - Depressed Median	Alternative C3 - Flush Median
Geology	➢ No impacts.	➢ Permanent earthwork impacting 121.62 acres. ➢ Temporary earthwork impacting 13.58 acres. ➢ Potential to impact paleontological resources during construction.	➢ Permanent earthwork impacting 103.21 acres. ➢ Temporary earthwork impacting 14.10 acres. ➢ Slightly lower potential to impact paleontological resources during construction than Alternative B.
Soils	➢ No impacts.	➢ Net addition of 14.10 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.	➢ Net addition of 15.54 acres of impervious surface area. ➢ Slightly more potential for stormwater runoff, erosion, and sedimentation than Alternative B. ➢ Similar temporary impacts on soil from construction activities as Alternative B.
Land Use	➢ No impacts.	➢ Permanent ROW acquisition of 49.1 acres converted into transportation corridor. ➢ Temporary easement acquisition of 6.0 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.	➢ Permanent ROW acquisition of 28.4 acres converted into transportation corridor. ➢ Temporary easement acquisition of 7.7 acres for construction. ➢ Same consistency with goals identified in local, state, and regional plans for transportation and land use as Alternative B.
Farmland	➢ No impacts.	➢ Permanent conversion of 33.53 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.	➢ Permanent conversion of 19.24 acres of prime farmland. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative B.
Vegetation	➢ No impacts.	➢ Permanent conversion of 14.10 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 135.20 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.	➢ Permanent conversion of 15.54 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 117.31 acres of various vegetation types. ➢ Slightly lower potential to spread noxious weeds during construction than Alternative B.

Resource Area	Alternative A	Alternative B3 - Depressed Median	Alternative C3 - Flush Median
Water Resources	➢ No impacts.	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative B.
Wetlands and Other Waters	➢ No impacts.	➢ Permanent impacts on 4.262 acres of wetlands. ➢ Temporary impacts on 0.681 acres of wetlands. ➢ Permanent impacts on 0.248 acres of other waters. ➢ Temporary impacts on 0.041 acres of other waters.	➢ Permanent impacts on 3.602 acres of wetlands. ➢ Temporary impacts on 0.693 acres of wetlands. ➢ Permanent impacts on 0.236 acres of other waters. ➢ Temporary impacts on 0.046 acres of other waters.
Water Quality	➢ No impacts.	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.	➢ Slightly lower potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative B ➢ Slightly higher potential to impact water quality from runoff during operation than Alternative B.
Floodplain	➢ No grade raise to flood increase resiliency	➢ Work in Special Flood Hazard Areas. ➢ Impact to Velva flood protection levee. ➢ Grade raise for flood protection. ➢ Increased flood resiliency due to grade raise.	➢ Work in Special Flood Hazard Areas. ➢ Similar impact to Velva flood protection levee as Alternative B. ➢ Same grade raise for flood protection as Alternative B. ➢ Same flood increased resiliency as Alternative B.
Wildlife and Fisheries	➢ No impacts.	➢ Direct conversion of 55.28 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.	➢ Direct conversion of 40.98 acres of potential habitat into a transportation corridor. ➢ Same potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Same potential for mortality to species with limited mobility due to construction activities as Alternative B ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative B. ➢ Same no impacts anticipated for bald or golden eagles as Alternative B.
Threatened and Endangered Species	➢ No impacts.	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.	➢ Same effect determinations as Alternative B
Social and Economic	➢ No improvement on transportation network. ➢ Continuation of traffic congestion; no improvement to safety or business productivity. ➢ No increased temporary demand for construction contractors or local services during construction.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ Removal of one shed/outbuilding. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with less protection from head-on collisions than Alternative B. ➢ No removal of buildings. ➢ Similar impact from roadway becoming closer to homes, businesses, and community services as Alternative B. ➢ Same increased temporary demand for construction contractors and local services during construction as Alternative B. ➢ Similar temporary construction impact on travel patterns, noise environment, and visual environment as Alternative B.
Cultural Resources	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.	➢ Same affect determination as Alternative B. ➢ Slightly lower potential for unanticipated discovery of cultural resources than Alternative B.

Resource Area	Alternative A	Alternative B3 - Depressed Median	Alternative C3 - Flush Median
Section 4(f) Properties	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied. ➢ Temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied.	➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative B. ➢ Same temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied as Alternative B.
Infrastructure	➢ No adverse or beneficial impacts on infrastructure. ➢ Continuation of wear and ongoing maintenance on existing roadways.	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.	➢ Same beneficial impact on transportation infrastructure as Alternative B. ➢ Same impacted fences would be shifted as Alternative B.
Air Quality	➢ Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.	➢ Slightly lower potential to impact air quality during construction activities than Alternative B. ➢ Same potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase as Alternative B.
Noise	➢ Traffic noise would increase as traffic volumes increase. ➢ Alternative A future (2047) scenario traffic noise levels ranged from 51.0 to 68.2 dB(A) with six impacted receptors. ➢ No noise walls considered for Alternative A.	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ Impacts to receptors with noise walls considered in Segment 3. Abatement was determined not feasible. ➢ Temporary noise impacts during construction.	➢ Similar traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically as Alternative B. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Similar impacts to receptors with noise walls considered in Segment 3 as Alternative B. Abatement was determined not feasible. ➢ Same temporary noise impacts during construction as Alternative B.
Visual	➢ No impacts.	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.	➢ Slightly lower temporary and permanent impact on visual resources and viewshed than Alternative B, but same generally compatible with existing visual character and no impact on visual quality expected as Alternative B.
Hazardous Waste	➢ No impacts.	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative B. ➢ Slightly lower potential to encounter hazardous materials during construction than Alternative B. ➢ Same potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative B.
Utilities	➢ No impacts.	➢ Removal/relocation of 116 utility poles. ➢ Impacts to 92,616 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.	➢ Removal/relocation of 63 utility poles. ➢ Impacts to 87,263 linear feet of utilities. ➢ Same potential temporary short term service interruptions during relocations as Alternative B.
Irreversible and Irretrievable Commitments of Resources	➢ No commitment of resources for construction. ➢ Commitment of resources for routine maintenance. ➢ No increased efficiency to flow of traffic during operation with resulting reduced energy consumption.	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.	➢ Slightly lower commitment of resources during construction than Alternative B. ➢ Same no significant demand on energy resources or their availability as Alternative B. ➢ Same more efficient flow of traffic during operation with resulting reduced energy consumption as Alternative B.

Table 20, Segment 4 Impact Summary and Comparison

Resource Area	Alternative A	Alternative C4 - Flush Median without Option V-1 - Shared Use Path	Alternative C4 - Flush Median with Option V-1 - Shared Use Path	Option V-1 - Shared Use Path without Alternative C4 - Flush Median
Geology	➢ No impacts.	➢ Permanent earthwork impacting 26.05 acres. ➢ Temporary earthwork impacting 2.23 acres. ➢ Potential to impact paleontological resources during construction.	➢ Permanent earthwork impacting 26.74 acres. ➢ Temporary earthwork impacting 4.49 acres. ➢ Slightly higher potential to impact paleontological resources during construction than Alternative C without Option V-1.	➢ Permanent earthwork impacting 0.69 acres. ➢ Temporary earthwork impacting 2.25 acres. ➢ Lower potential to impact paleontological resources during construction than Alternative C without Option V-1 and Alternative C with Option V-1.
Soils	➢ No impacts.	➢ Net addition of 3.62 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.	➢ Net addition of 4.38 acres of impervious surface area. ➢ Slightly more potential for stormwater runoff, erosion, and sedimentation than Alternative C without Option V-1. ➢ Similar temporary impacts on soil from construction activities as Alternative C without Option V-1.	➢ Net addition of 0.76 acres of impervious surface area. ➢ Less potential for stormwater runoff, erosion, and sedimentation than Alternative C with Option V-1 and Alternative C without Option V-1. ➢ Less temporary impacts on soil from construction activities as Alternative C with Option V-1 and Option V-1 without Alternative C.
Land Use	➢ No impacts.	➢ Permanent ROW acquisition of 1.9 acres converted into transportation corridor. ➢ Temporary easement acquisition of 1.9 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.	➢ Permanent ROW acquisition of 2.3 acres converted into transportation corridor. ➢ Temporary easement acquisition of 2.0 acres for construction. ➢ Slightly less consistency with goals identified in local, state, and regional plans for transportation and land use than Alternative C without Option V-1.	➢ Permanent ROW acquisition of 0.4 acres converted into transportation corridor. ➢ Temporary easement acquisition of 0.7 acres for construction. ➢ Less consistency with goals identified in local, state, and regional plans for transportation and land use than Alternative C without Option V-1 and Alternative C with Option V-1.
Farmland	➢ No impacts.	➢ Permanent conversion of 0.33 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.	➢ Permanent conversion of 0.71 acres of prime farmland. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative C without Option V-1.	➢ Permanent conversion of 0.38 acres of prime farmland. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative C without Option V-1 and Alternative C with Option V-1.
Vegetation	➢ No impacts.	➢ Permanent conversion of 3.62 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 28.28 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.	➢ Permanent conversion of 4.38 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 31.23 acres of various vegetation types. ➢ Slightly greater potential to spread noxious weeds during construction than Alternative C without Option V-1.	➢ Permanent conversion of 0.76 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 2.94 acres of various vegetation types. ➢ Less potential to spread noxious weeds during construction than Alternative C without Option V-1 and Alternative C with Option V-1.
Water Resources	➢ No impacts.	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative C without Option V-1.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative C without Option V-1 and Alternative C with Option V-1.

Resource Area	Alternative A	Alternative C4 - Flush Median without Option V-1 - Shared Use Path	Alternative C4 - Flush Median with Option V-1 - Shared Use Path	Option V-1 - Shared Use Path without Alternative C4 - Flush Median
Wetlands and Other Waters	➢ No impacts.	➢ Permanent impacts on 0.770 acres of wetlands. ➢ Temporary impacts on 0.210 acres of wetlands. ➢ Permanent impacts on 0.006 acres of other waters. ➢ Temporary impacts on 0.003 acres of other waters.	➢ Permanent impacts on 1.020 acres of wetlands. ➢ Temporary impacts on 0.244 acres of wetlands. ➢ Permanent impacts on 0.006 acres of other waters. ➢ Temporary impacts on 0.003 acres of other waters.	➢ Permanent impacts on 0.320 acres of wetlands. ➢ Temporary impacts on 0.120 acres of wetlands. ➢ No permanent impacts to other waters. ➢ No temporary impacts to other waters.
Water Quality	➢ No impacts.	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.	➢ Slightly higher potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative C without Option V-1. ➢ Slightly higher potential to impact water quality from runoff during operation than Alternative C without Option V-1	➢ Lower potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Lower potential to impact water quality from runoff during operation than Alternative C without Option V-1 and Alternative C with Option V-1.
Floodplain	➢ No impacts.	➢ Impact to Velva flood protection levee.	➢ Same impact to Velva flood protection levee as Alternative C without Option V-1.	➢ No impact to Velva flood protection levee.
Wildlife and Fisheries	➢ No impacts.	➢ Direct conversion of 4.22 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.	➢ Direct conversion of 4.22 acres of potential habitat into a transportation corridor. ➢ Same potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor as Alternative C without Option V-1. ➢ Same potential for mortality to species with limited mobility due to construction activities as Alternative C without Option V-1. ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative C without Option V-1. ➢ Same no impacts anticipated for bald or golden eagles as Alternative C without Option V-1.	➢ No conversion of potential habitat. ➢ No potential for habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions. ➢ No potential for mortality to species with limited mobility due to construction activities. ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Same no impacts anticipated for bald or golden eagles as Alternative C without Option V-1 and Alternative C with Option V-1.
Threatened and Endangered Species	➢ No impacts.	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.	➢ Same effect determinations as Alternative C without Option V-1.	➢ Same effect determinations as Alternative C with Option V-1. And Alternative C without Option V-1.

Resource Area	Alternative A	Alternative C4 - Flush Median without Option V-1 - Shared Use Path	Alternative C4 - Flush Median with Option V-1 - Shared Use Path	Option V-1 - Shared Use Path without Alternative C4 - Flush Median
Social and Economic	➢ No improvement on transportation network. ➢ Continuation of traffic congestion; no improvement to safety or business productivity. ➢ No increased temporary demand for construction contractors or local services during construction.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands. ➢ No addition of pedestrian/bicycle facility. ➢ No removal of buildings. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.	➢ Same beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands as Alternative C without Option V-1. ➢ Addition of pedestrian/bicycle facility. ➢ Same no removal of buildings as Alternative C without Option V-1. ➢ Same impact from roadway becoming closer to homes, businesses, and community services as Alternative C without Option V-1. ➢ Same increased temporary demand for construction contractors and local services during construction as Alternative C without Option V-1. ➢ Similar temporary construction impact on travel patterns, noise environment, and visual environment as Alternative C without Option V-1.	➢ No beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands. ➢ Same addition of pedestrian/bicycle facility as Alternative C with Option V-1. ➢ Same no removal of buildings as Alternative C without Option V-1 and Alternative C with Option V-1. ➢ No roadway becoming closer to homes, businesses, and community services. ➢ Less temporary demand for construction contractors and local services during construction than Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Less temporary construction impact on travel patterns, noise environment, and visual environment than Alternative C without Option V-1 and Alternative C with Option V-1.
Cultural Resources	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.	➢ Same affect determination as Alternative C without Option V-1. ➢ Slightly higher potential for unanticipated discovery of cultural resources than Alternative C without Option V-1.	➢ Same affect determination as Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Lower potential for unanticipated discovery of cultural resources as Alternative C without Option V-1 and Alternative C with Option V-1.
Section 4(f) Properties	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied. ➢ Temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied.	➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative C without Option V-1. ➢ Same temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied as Alternative C without Option V-1.	➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative C with Option V-1 and Alternative C without Option V-1. ➢ Same temporary impact on Sno-Trails Snowmobile Trail with trails in ROW Section 4(f) exception applied as Alternative C without Option V-1 and Alternative C with Option V-1.
Infrastructure	➢ No adverse or beneficial impacts on infrastructure. ➢ Continuation of wear and ongoing maintenance on existing roadways.	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.	➢ Slightly less beneficial impact on transportation infrastructure as Alternative C without Option V-1. ➢ Same impacted fences would be shifted as Alternative C without Option V-1.	➢ Less beneficial impact on transportation infrastructure than Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Same impacted fences would be shifted as Alternative C without Option V-1 and Alternative C with Option V-1.

Resource Area	Alternative A	Alternative C4 - Flush Median without Option V-1 - Shared Use Path	Alternative C4 - Flush Median with Option V-1 - Shared Use Path	Option V-1 - Shared Use Path without Alternative C4 - Flush Median
Air Quality	➢ Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.	➢ Slightly higher potential to impact air quality during construction activities than Alternative C without Option V-1. ➢ Same potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase as Alternative C without Option V-1.	➢ Less potential to impact air quality during construction activities than Alternative C without Option V-1 and Alternative C with Option V-1. ➢ No potential reduction in emissions due to a shared use path being built and no construction of four lane roadway.
Noise	➢ Traffic noise would increase as traffic volumes increase. ➢ Alternative A future (2047) scenario traffic noise levels ranged from 51.0 to 68.2 dB(A) with six impacted receptors. ➢ No noise walls considered for Alternative A.	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Impacts to receptors with noise wall considered in Segment 4. Abatement was determined not feasible. ➢ Temporary noise impacts during construction.	➢ Similar traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically as Alternative C without Option V-1. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Similar impacts to receptors with noise wall considered in Segment 4 as Alternative C without Option V-1. Abatement was determined not feasible. ➢ Same temporary noise impacts during construction as Alternative C without Option V-1.	➢ No traffic noise impact. ➢ Less temporary noise impacts during construction than Alternative C without Option V-1 and Alternative C with Option V-1.
Visual	➢ No impacts.	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.	➢ Slightly greater temporary and permanent impact on visual resources and viewshed than Alternative C without Option V-1, but same generally compatible with existing visual character and no impact on visual quality expected as Alternative C without Option V-1.	➢ Less temporary and permanent impact on visual resources and viewshed than Alternative C without Option V-1 and Alternative C with Option V-1, but same generally compatible with existing visual character and no impact on visual quality expected as Alternative C without Option V-1 and Alternative C with Option V-1.
Hazardous Waste	➢ No impacts.	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative C without Option V-1. ➢ Slightly greater potential to encounter hazardous materials during construction Alternative C without Option V-1. ➢ Same potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative C without Option V-1.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Lower potential to encounter hazardous materials during construction than Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Lower potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative C without Option V-1 and Alternative C with Option V-1.

Resource Area	Alternative A	Alternative C4 - Flush Median without Option V-1 - Shared Use Path	Alternative C4 - Flush Median with Option V-1 - Shared Use Path	Option V-1 - Shared Use Path without Alternative C4 - Flush Median
Utilities	➢ No impacts.	➢ Removal/relocation of two utility poles. ➢ Impacts to 9,005 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.	➢ Removal/relocation of three utility poles. ➢ Impacts to 10,241 linear feet of utilities. ➢ Similar potential temporary short term service interruptions during relocations as Alternative C without Option V-1.	➢ Removal/relocation of one utility pole. ➢ Impacts to 1,236 linear feet of utilities. ➢ Lower potential temporary short term service interruptions during relocations as Alternative C without Option V-1 and Alternative C with Option V-1.
Irreversible and Irretrievable Commitments of Resources	➢ No commitment of resources for construction. ➢ Commitment of resources for routine maintenance. ➢ No increased efficiency to flow of traffic during operation with resulting reduced energy consumption.	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.	➢ Slightly higher commitment of resources during construction than Alternative C without Option V-1. ➢ Same no significant demand on energy resources or their availability as Alternative C without Option V-1. ➢ Same more efficient flow of traffic during operation with resulting reduced energy consumption as Alternative C without Option V-1.	➢ Lower commitment of resources during construction than Alternative C without Option V-1 and Alternative C with Option V-1. ➢ Same no significant demand on energy resources or their availability as Alternative C without Option V-1 and Alternative C with Option V-1. ➢ No more efficient flow of traffic during operation with resulting reduced energy consumption.

Table 21, Segment 5 Impact Summary and Comparison

Resource Area	Alternative A	Alternative B5 - Depressed Median	Alternative C5 - Flush Median
Geology	➢ No impacts.	➢ Permanent earthwork impacting 107.99 acres. ➢ Temporary earthwork impacting 12.36 acres. ➢ Potential to impact paleontological resources during construction.	➢ Permanent earthwork impacting 94.31 acres. ➢ Temporary earthwork impacting 12.26 acres. ➢ Slightly lower potential to impact paleontological resources during construction than Alternative B.
Soils	➢ No impacts.	➢ Net addition of 15.43 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.	➢ Net addition of 18.25 acres of impervious surface area. ➢ Slightly more potential for stormwater runoff, erosion, and sedimentation than Alternative B. ➢ Similar temporary impacts on soil from construction activities as Alternative B.
Land Use	➢ No impacts.	➢ Permanent ROW acquisition of 31.0 acres converted into transportation corridor. ➢ Temporary easement acquisition of 4.8 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.	➢ Permanent ROW acquisition of 14.1 acres converted into transportation corridor. ➢ Temporary easement acquisition of 4.0 acres for construction. ➢ Same consistency with goals identified in local, state, and regional plans for transportation and land use as Alternative B.
Farmland	➢ No impacts.	➢ Permanent conversion of 3.19 acres of prime farmland. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.	➢ Permanent conversion of 0.52 acres of prime farmland. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative B.
Vegetation	➢ No impacts.	➢ Permanent conversion of 16.93 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 120.35 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.	➢ Permanent conversion of 18.25 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 106.57 acres of various vegetation types. ➢ Slightly lower potential to spread noxious weeds during construction than Alternative B.

Resource Area	Alternative A	Alternative B5 - Depressed Median	Alternative C5 - Flush Median
Water Resources	➢ No impacts.	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative B.
Wetlands and Other Waters	➢ No impacts.	➢ Permanent impacts on 4.619 acres of wetlands. ➢ Temporary impacts on 1.157 acres of wetlands. ➢ Permanent impacts on 0.442 acres of other waters. ➢ Temporary impacts on 0.052 acres of other waters. ➢ Permanent and temporary impacts to USFWS wetland conservation easements.	➢ Permanent impacts on 1.666 acres of wetlands. ➢ Temporary impacts on 0.736 acres of wetlands. ➢ Permanent impacts on 0.072 acres of other waters. ➢ Temporary impacts on 0.051 acres of other waters. ➢ Similar permanent and temporary impacts to USFWS wetland conservation easements as Alternative B.
Water Quality	➢ No impacts.	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.	➢ Slightly lower potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative B. ➢ Slightly higher potential to impact water quality from runoff during operation than Alternative B.
Floodplain	➢ No impacts.	➢ Work in Special Flood Hazard Areas.	➢ Work in Special Flood Hazard Areas.
Wildlife and Fisheries	➢ No impacts.	➢ Direct conversion of 153.09 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.	➢ Direct conversion of 189.89 acres of potential habitat into a transportation corridor. ➢ Same potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Same potential for mortality to species with limited mobility due to construction activities as Alternative B ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative B. ➢ Same no impacts anticipated for bald or golden eagles as Alternative B.
Threatened and Endangered Species	➢ No impacts.	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.	➢ Same effect determinations as Alternative B.
Social and Economic	➢ No improvement on transportation network. ➢ Continuation of traffic congestion; no improvement to safety or business productivity. ➢ No increased temporary demand for construction contractors or local services during construction.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ No removal of buildings. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with less protection from head-on collisions than Alternative B. ➢ Same no removal of buildings as Alternative B. ➢ Similar impact from roadway becoming closer to homes, businesses, and community services as Alternative B. ➢ Same increased temporary demand for construction contractors and local services during construction as Alternative B. ➢ Similar temporary construction impact on travel patterns, noise environment, and visual environment as Alternative B.
Cultural Resources	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.	➢ Same affect determination as Alternative B. ➢ Slightly lower potential for unanticipated discovery of cultural resources as Alternative B.

Resource Area	Alternative A	Alternative B5 - Depressed Median	Alternative C5 - Flush Median
Section 4(f) Properties	➢ No impacts.	➢ No impact to recreational Section 4(f) properties. ➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied.	➢ Same no impact to recreational Section 4(f) properties as Alternative B. ➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative B.
Infrastructure	➢ No adverse or beneficial impacts on infrastructure. ➢ Continuation of wear and ongoing maintenance on existing roadways.	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.	➢ Same beneficial impact on transportation infrastructure as Alternative B. ➢ Same impacted fences would be shifted as Alternative B.
Air Quality	➢ Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.	➢ Slightly lower potential to impact air quality during construction activities than Alternative C. ➢ Same potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase as Alternative B.
Noise	➢ Traffic noise would increase as traffic volumes increase. ➢ Alternative A future (2047) scenario traffic noise levels ranged from 51.0 to 68.2 dB(A) with six impacted receptors. ➢ No noise walls considered for Alternative A.	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ No impacted receptors or noise walls considered in Segment 5. ➢ Temporary noise impacts during construction.	➢ Similar traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically as Alternative B. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Similar no impacted receptors or noise walls considered in Segment 5 as Alternative B. ➢ Same temporary noise impacts during construction as Alternative B.
Visual	➢ No impacts.	➢ Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.	➢ Slightly lower temporary and permanent impact on visual resources and viewshed than Alternative B, but same generally compatible with existing visual character and no impact on visual quality expected as Alternative B.
Hazardous Waste	➢ No impacts.	➢ No known hazardous materials sites requiring active mitigation. ➢ Potential to encounter hazardous materials during construction. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative B. ➢ Slightly lower potential to encounter hazardous materials during construction than Alternative B. ➢ Same potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative B.
Utilities	➢ No impacts.	➢ Removal/relocation of 14 utility poles. ➢ Impacts to 76,214 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.	➢ Removal/relocation of 22 utility poles. ➢ Impacts to 69,622 linear feet of utilities. ➢ Same potential temporary short term service interruptions during relocations as Alternative B.
Irreversible and Irretrievable Commitments of Resources	➢ No commitment of resources for construction. ➢ Commitment of resources for routine maintenance. ➢ No increased efficiency to flow of traffic during operation with resulting reduced energy consumption.	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.	➢ Slightly lower commitment of resources during construction than Alternative B. ➢ Same no significant demand on energy resources or their availability as Alternative B. ➢ Same more efficient flow of traffic during operation with resulting reduced energy consumption as Alternative B.

Table 22, Segment 6 Impact Summary and Comparison

Resource Area	Alternative A	Alternative B6 - Depressed Median	Alternative C6 - Flush Median
Geology	➢ No impacts.	➢ Permanent earthwork impacting 41.93 acres. ➢ Temporary earthwork impacting 8.07 acres. ➢ Potential to impact paleontological resources during construction.	➢ Permanent earthwork impacting 39.96 acres. ➢ Temporary earthwork impacting 8.04 acres. ➢ Slightly lower potential to impact paleontological resources during construction than Alternative B.
Soils	➢ No impacts.	➢ Net addition of 6.12 acres of impervious surface area. ➢ Potential for stormwater runoff, erosion, and sedimentation. ➢ Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.	➢ Net addition of 6.58 acres of impervious surface area. ➢ Slightly less potential for stormwater runoff, erosion, and sedimentation than Alternative C. ➢ Similar temporary impacts on soil from construction activities as Alternative B.
Land Use	➢ No impacts.	➢ Permanent ROW acquisition of 8.3 acres converted into transportation corridor. ➢ Temporary easement acquisition of 2.4 acres for construction. ➢ Consistent with goals identified in local, state, and regional plans for transportation and land use.	➢ Permanent ROW acquisition of 6.5 acres converted into transportation corridor. ➢ Temporary easement acquisition of 1.1 acres for construction. ➢ Same consistency with goals identified in local, state, and regional plans for transportation and land use as Alternative B.
Farmland	➢ No impacts.	➢ Permanent conversion of 0.26 acres of farmland of statewide importance. ➢ NRCS CPA-106 form score less than FPPA recommended allowable level.	➢ Permanent conversion of 0.15 acres of farmland of statewide importance. ➢ Same NRCS CPA-106 form score less than FPPA recommended allowable level as Alternative B.
Vegetation	➢ No impacts.	➢ Permanent conversion of 8.93 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 50.00 acres of various vegetation types. ➢ Potential to spread noxious weeds during construction.	➢ Permanent conversion of 6.58 acres of various vegetation types into impervious surface. ➢ Temporary impact on approximately 47.40 acres of various vegetation types. ➢ Slightly lower potential to spread noxious weeds during construction than Alternative B.
Water Resources	➢ No impacts.	➢ No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.	➢ Same no impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas as Alternative B.
Wetlands and Other Waters	➢ No impacts.	➢ Permanent impacts on 2.030 acres of wetlands. ➢ Temporary impacts on 0.489 acres of wetlands. ➢ No permanent impacts on other waters. ➢ No temporary impacts on other waters. ➢ Permanent and temporary impacts to USFWS wetland conservation easements.	➢ Permanent impacts on 1.641 acres of wetlands. ➢ Temporary impacts on 0.360 acres of wetlands. ➢ Same no permanent impacts on other waters as Alternative B. ➢ Same no temporary impacts on other waters as Alternative B. ➢ Similar permanent and temporary impacts to USFWS wetland conservation easements as Alternative B.
Water Quality	➢ No impacts.	➢ Potential to impact water quality from spills, erosion, and sedimentation during construction. ➢ Potential to impact water quality from runoff during operation.	➢ Slightly lower potential to impact water quality from spills, erosion, and sedimentation during construction than Alternative B ➢ Slightly higher potential to impact water quality from runoff during operation than Alternative B.
Floodplain	➢ No impacts.	➢ No impacts.	➢ No impacts.

Resource Area	Alternative A	Alternative B6 - Depressed Median	Alternative C6 - Flush Median
Wildlife and Fisheries	➢ No impacts.	➢ Direct conversion of 153.09 acres of potential habitat into a transportation corridor. ➢ Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Potential for mortality to species with limited mobility due to construction activities. ➢ No impacts anticipated for species of concern or significant ecological communities. ➢ No impacts anticipated for bald or golden eagles.	➢ Direct conversion of 189.89 acres of potential habitat into a transportation corridor. ➢ Same potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor. ➢ Same potential for mortality to species with limited mobility due to construction activities as Alternative B ➢ Same no impacts anticipated for species of concern or significant ecological communities as Alternative B. ➢ Same no impacts anticipated for bald or golden eagles as Alternative B.
Threatened and Endangered Species	➢ No impacts.	➢ No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat. ➢ May affect, but not likely to adversely affect northern long-eared bat and whooping crane. ➢ May affect, and likely to adversely affect Dakota skipper.	➢ Same effect determinations as Alternative B
Social and Economic	➢ No improvement on transportation network. ➢ Continuation of traffic congestion; no improvement to safety or business productivity. ➢ No increased temporary demand for construction contractors or local services during construction.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with greater protection from head-on collisions than Alternative C. ➢ No removal of buildings. ➢ Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. ➢ Increased temporary demand for construction contractors and local services during construction. ➢ Temporary construction impact on travel patterns, noise environment, and visual environment.	➢ Beneficial impact by addressing perceived safety issues, existing and future traffic needs, or social and economic demands, with less protection from head-on collisions than Alternative B. ➢ Same no removal of buildings as Alternative B. ➢ Similar impact from roadway becoming closer to homes, businesses, and community services as Alternative B. ➢ Same increased temporary demand for construction contractors and local services during construction as Alternative B. ➢ Similar temporary construction impact on travel patterns, noise environment, and visual environment as Alternative B.
Cultural Resources	➢ No impacts.	➢ Proposed action would have no adverse effect on cultural resources. ➢ Potential for unanticipated discovery of cultural resources.	➢ Same affect determination as Alternative B. ➢ Slightly lower potential for unanticipated discovery of cultural resources as Alternative B.
Section 4(f) Properties	➢ No impacts.	➢ No impact to recreational Section 4(f) properties. ➢ Proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied.	➢ Same no impact to recreational Section 4(f) properties as Alternative B. ➢ Same proposed action would have no adverse effect on cultural resources with archaeological resources Section 4(f) exception applied as Alternative B.
Infrastructure	➢ No adverse or beneficial impacts on infrastructure. ➢ Continuation of wear and ongoing maintenance on existing roadways.	➢ Beneficial impact on transportation infrastructure. ➢ Impacted fences would be shifted.	➢ Same beneficial impact on transportation infrastructure as Alternative B. ➢ Same impacted fences would be shifted as Alternative B.
Air Quality	➢ Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.	➢ Potential to impact air quality during construction activities. ➢ Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.	➢ Slightly lower potential to impact air quality during construction activities than Alternative C. ➢ Same potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase as Alternative B.

Resource Area	Alternative A	Alternative B6 - Depressed Median	Alternative C6 - Flush Median
Noise	➢ Traffic noise would increase as traffic volumes increase. ➢ Alternative A future (2047) scenario traffic noise levels ranged from 51.0 to 68.2 dB(A) with six impacted receptors. ➢ No noise walls considered for Alternative A.	➢ Traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically. ➢ Alternative B future (2047) scenario traffic noise levels ranged from 51.1 to 67.3 dB(A) with three impacted receptors across all segments. ➢ Impacts to receptors with noise walls considered in Segment 6. Abatement was determined not feasible. ➢ Temporary noise impacts during construction.	➢ Similar traffic noise would increase as traffic volumes increase and location of source would be shifted horizontally and vertically as Alternative B. ➢ Alternative C future (2047) scenario traffic noise levels ranged from 49.1 to 68.0 dB(A) with four impacted receptors across all segments. ➢ Similar impacts to receptors with noise walls considered in Segment 6 as Alternative B. Abatement was determined not feasible. ➢ Same temporary noise impacts during construction as Alternative B.
Visual	➢ No impacts.	➢ Slightly greater temporary and permanent impact on visual resources and viewshed than Alternative C, but generally compatible with existing visual character and no impact on visual quality expected.	➢ Slightly lower temporary and permanent impact on visual resources and viewshed than Alternative B, but same generally compatible with existing visual character and no impact on visual quality expected as Alternative B.
Hazardous Waste	➢ No impacts.	➢ No known hazardous materials sites requiring active mitigation. ➢ Slightly greater potential to encounter hazardous materials during construction than Alternative C. ➢ Potential for minor accidental spills or leaks of hazardous materials used during construction.	➢ Same no known hazardous materials sites requiring active mitigation as Alternative B. ➢ Slightly lower potential to encounter hazardous materials during construction than Alternative B. ➢ Same potential for minor accidental spills or leaks of hazardous materials used during construction as Alternative B.
Utilities	➢ No impacts.	➢ Removal/relocation of 17 utility poles. ➢ Impacts to 21,417 linear feet of utilities. ➢ Potential temporary short term service interruptions during relocations.	➢ Removal/relocation of 17 utility poles. ➢ Impacts to 21,117 linear feet of utilities. ➢ Same potential temporary short term service interruptions during relocations as Alternative B.
Irreversible and Irretrievable Commitments of Resources	➢ No commitment of resources for construction. ➢ Commitment of resources for routine maintenance. ➢ No increased efficiency to flow of traffic during operation with resulting reduced energy consumption.	➢ Commitment of resources during construction. ➢ No significant demand on energy resources or their availability. ➢ More efficient flow of traffic during operation with resulting reduced energy consumption.	➢ Slightly lower commitment of resources during construction than Alternative B. ➢ Same no significant demand on energy resources or their availability as Alternative B. ➢ Same more efficient flow of traffic during operation with resulting reduced energy consumption as Alternative B.

Chapter 4: Permits/Approvals, Environmental Commitments, and Compliance

4.1 Permits and Approvals

The following permits and approvals would be acquired prior to construction of the proposed action:

- USACE
  - Section 408 approval
  - Section 404 permit with Section 404(b)(1) analysis, if necessary
- USFWS
  - Special Use Permit and easement exchange
- NDDEQ
  - NPDES Permit
  - Section 401 water quality certification, if necessary
- NDDWR
  - Construction permit with EAP, if necessary
- Ward County
  - Floodplain permit
- City of Velva
  - Floodplain permit
- McHenry County
  - Floodplain permit
- City of Sawyer
  - Floodplain permit

4.2 Environmental Commitments

In addition to acquiring necessary permits and approvals, the proposed action would include environmental commitments to minimize, avoid, or compensate for impacts. Applicable environmental commitments would be included in the plans and specifications in addition to implementation of NDDOT's Standard Specifications for Road and Bridge Construction. A review of the specific limits, impacts, permitting, applicable commitments, and Special Provisions would occur during final design for segments that receive funding to move forward. Please refer to ***Table 23, Summary of Environmental Commitments***.

Table 23, Summary of Environmental Commitments

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
1	Paleontological monitoring would occur during construction in high potential areas (i.e., PFYC Class 4 and 5) where cuts are greater than 10 feet deep. The areas to be monitored would be reassessed during final design using the most current PFYC dataset available from NDGS.	1-6	NDDOT and Contractor / Qualified Paleontologist, if necessary	Prior to construction and throughout construction, as necessary	Geology
2	An SPCC plan would be developed and implemented to minimize the likelihood of a spill and to guide containment and cleanup in the event of a spill.	1-6	Contractor	Prior to construction and throughout construction	Soils, Water Resources, Water Quality, Wildlife and Fisheries, Threatened and Endangered Species, Hazardous Waste
3	As part of the NPDES permit, the Contractor would be required to develop a SWPPP. To minimize potential impacts, BMPs would be implemented in accordance with the SWPPP. Various techniques may be used such as dust control; mulching, matting, and netting; installing filter fabric fencing; utilizing sediment traps and ponds; creating surface water interceptor swales and ditches; limiting the quantity of stockpiled materials; and ensuring stockpiles are stored away from surface water sources.	1-6	Contractor	Prior to construction and throughout construction	Soils, Water Resources, Water Quality, Air Quality, Wildlife and Fisheries, Threatened and Endangered Species, Social and Economic, Visual
4	Private landowners would be compensated for property acquired in accordance with the Uniform Act.	1-6	NDDOT	Prior to construction	Land Use
5	Access would be maintained and temporary mailboxes may be used during construction activities.	1-6	Contractor	Throughout construction	Land Use, Social and Economic, Infrastructure
6	Disturbed areas would be promptly revegetated with a grass seed mixture and/or cover crop in accordance with the NDDOT Standards and Specifications for Road and Bridge Construction and NDPES permit requirements, with final stabilization occurring when a uniform perennial vegetative cover with a density of 70 percent of the native cover for unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization. Reseeding in some areas would be done in coordination with USFWS for Dakota skipper habitat mitigation purposes.	1-6	Contractor	Throughout construction, upon completion of construction (until stabilized)	Vegetation, Threatened and Endangered Species
7	Temporary impacts to native woody vegetation in riparian areas and woody draws would be reclaimed onsite at 1:1 ratio, while permanent impacts to native woody vegetation (i.e., trees and shrubs in natural settings) would be added to the NDDOT Tree Mitigation Ledger. Impacts to urban trees would be mitigated in coordination with the local public agency. Prior to impacts, woody vegetation to be removed in these areas would be recorded by a biologist and reviewed by NDDOT and added to the NDDOT Tree Mitigation Ledger.	1-6	Contractor / Qualified Biologist / NDDOT	Prior to construction and upon completion of construction	Vegetation, Wildlife and Fisheries, Threatened and Endangered Species

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
8	During construction, the contractor would be responsible for implementing noxious weed control measures. Following construction, NDDOT would assume responsibility for ongoing noxious weed control within its ROW.	1-6	Contractor / NDDOT	During construction, upon completion of construction	Vegetation, Wildlife and Fisheries, Threatened and Endangered Species
9	If an observation well is encountered during project activities and must be removed, the Water Appropriation Division of NDDWR would be contacted.	1-6	Contractor / Project Engineer	Prior to construction and throughout construction	Water Resources
10	Permanent impacts greater than 0.10 acres to USACE jurisdictional wetlands and any permanent impacts to natural wetlands pursuant to EO 11990 would be mitigated. Compensatory mitigation for USACE jurisdictional wetlands would occur by purchasing credits from a USACE approved wetland mitigation bank, ditch shifts, and/or offset by design. Mitigation for permanent impacts on all other natural wetlands would occur by purchasing credits from a wetland mitigation bank, ditch shifts, and/or offset by design. Permanent impacts greater than 0.030 acres of Other Waters would be mitigated by purchasing credits from a wetland mitigation bank at a 2:1 ratio.	1-6	NDDOT / Contractor	Prior to construction and upon completion of construction	Wetlands and Other Waters, Threatened and Endangered Species, Water Resources, Water Quality
11	Temporarily impacted wetlands or other waters would be restored to preconstruction contours and reseeded following construction.	1-6	Contractor	Prior to construction and upon completion of construction	Wetlands and Other Waters, Water Quality
12	Equipment that was last used outside of North Dakota or within a Class I infested waterbody (identified on the NDGF website) requires an inspection by NDGF. Notify the NDGF at least 10 business days prior to pumps, watercraft, or any equipment entering a public water to allow the NDGF sufficient time to inspect any and all such equipment for ANS. Contact the NDGF ANS Coordinator for equipment inspections. Supply one of the following to the engineer as proof of compliance prior to work taking place in the water: (1) the NDGF inspection report, (2) documented NDGF correspondence (email or signed letter).	1-6	Contractor	Throughout construction	Wetlands and Other Waters, Wildlife and Fisheries
13	Coordination with the Souris River Joint Board, would occur during final design to ensure final design does not adversely impact the Velva flood protection levee or the Sawyer flood control structure.	2, 3, 4	NDDOT / Project Engineer / Contractor	Prior to construction and throughout construction	Floodplains
14	If any new bald or golden eagle nests are identified within 0.5 miles of the construction areas during construction activities, construction would immediately stop within 0.5 miles of the nest(s). NDDOT would coordinate with USFWS prior to the continuation of construction activities to determine any measures necessary to minimize harm to bald and/or golden eagles.	1-6	Contractor	Throughout construction	Wildlife and Fisheries

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
15	If construction activities are to occur during the migratory bird nesting season (February 1 – July 15), work areas would be mowed and/or grubbed prior to the start of the nesting season if possible. If mowing and/or grubbing is not completed prior to the nesting season, a qualified biologist would conduct preconstruction nest surveys within the work areas. If active nests are identified, NDDOT would coordinate with USFWS prior to commencement of work to determine any measures necessary to minimize harm. In addition, a modified Special Provision for the MBTA would be included with the Construction Specifications, with stipulations pertaining to nests during construction activities involving bridges, box culverts, and structural plate culverts.	1-6	Contractor / Qualified Biologist / NDDOT	Prior to construction and throughout construction	Wildlife and Fisheries
16	To reduce the risk of flight collisions during the spring and fall whooping crane migration periods, NDDOT would request that utility companies install bird diverters at a 1:1 ratio (per linear foot) on any raised, lowered, and/or moved overhead utilities lines that occur within 1 mile of whooping crane stopover habitat. Each utility company would 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 areas.	1-6	Utility Company	Prior to construction and throughout construction	Threatened and Endangered Species, Wildlife and Fisheries
17	Ensure all project operators, employees, and contractors are aware of pertinent environmental commitments and conservation measures.	1-6	NDDOT / Contractor / Project Engineer	Prior to construction and throughout construction	Threatened and Endangered Species
18	Preemptively lay out spoil pile locations, fueling, and/or staging areas to avoid, to the maximum extent practicable, the destruction of occupied, assumed occupied, or potential Dakota skipper habitat identified in the project area.	1, 2, 5	Contractor / Project Engineer	Prior to construction and throughout construction	Threatened and Endangered Species
19	Conduct tree removal activities outside of the active season for the northern long-eared bat (April 15 – October 31). In the event any tree removal needs to occur during the active season, tree removal outside of pup season (June 1 – August 15) may be allowable in coordination with USFWS.	1-6	Contractor / Qualified Biologist / NDDOT	Prior to construction	Threatened and Endangered Species
20	Ensure tree removal is limited to that specified in the project's final plans. Install bright colored flagging/fencing prior to any tree removal to ensure contractors stay within clearing limits.	1-6	Contractor	Prior to construction	Threatened and Endangered Species
21	In the event that northern long-eared bat roosts or foraging habitat are identified in the future, do not cut down documented roosts, trees within 0.25 miles of roosts, or document foraging habitat during any time of year. If such trees or habitat would be impacted, further ESA consultation would be required.	1-6	NDDOT / Contractor / Project Engineer	Prior to construction	Threatened and Endangered Species
22	If temporary lighting is utilized during construction, direct it away from trees during the active season for the northern long-eared bat (April 15 – October 31).	1-6	Contractor	Throughout construction	Threatened and Endangered Species
23	Conduct a bat structure assessment prior to structure or culvert work (within 2 years prior to commencement). If bats are not observed, no further action is required. If bats are observed, further ESA consultation would be required.	1-6	NDDOT / Contractor / Project Engineer / Qualified Biologist	Prior to construction	Threatened and Endangered Species
24	For permanent lighting that is replaced, use downward-facing, full cut-off lens lights that are designed to be approximately the same intensity as previous lighting.	1-6	NDDOT / Contractor	Throughout construction	Threatened and Endangered Species

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
25	Notify the project engineer immediately in the event any threatened or endangered species is identified within 1 mile of the proposed action. 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. Do 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 aera or approved minimization measures have been implemented).	1-6	NDDOT / Contractor / Project Engineer	Throughout construction	Threatened and Endangered Species
26	Notify USFWS within three working days upon locating any dead, injured, or sick endangered or threatened species specimen (see Biological Opinion for details).	1-6	Contractor / Project Engineer / NDDOT	Throughout construction	Threatened and Endangered Species
27	Contract a USFWS-permitted Dakota skipper surveyor to conduct occupancy surveys, using the most recent USFWS protocol, for one year of pre-construction Dakota skipper occupancy surveys of all suitable habitat patches previously identified. If the pre-construction occupancy surveys indicate absence of the Dakota skipper, no further mitigation would occur. If pre-construction occupancy surveys indicate occupancy of the Dakota skipper, an onsite/offsite Dakota skipper conservation bank would be established in accordance with the USFWS North Dakota Field Office Guidance for Dakota Skipper Conservation Site Establishment document. The exact mitigation ratio would be determined at a later date in coordination with USFWS and NDDOT. In addition, at least one year of post-construction occupancy survey(s) would occur after vegetation establishment in disturbed areas and within five years following construction. Provide USFWS with an annual report following any year Dakota skipper occupancy surveys are completed that details the survey findings (see Biological Opinion for details).	1, 2, 5	NDDOT / Qualified Biologist	Prior to construction and upon completion of construction	Threatened and Endangered Species
28	Fence and avoid previously identified suitable Dakota skipper habitat that is not planned to be directly impacted during construction activities. Ensure all project personnel understand where clearly marked delineated suitable habitat is located prior to the start of soil/vegetation disturbance activities (see Biological Opinion for details).	1, 2, 5	Contractor	Prior to construction and throughout construction	Threatened and Endangered Species
29	Reseed disturbed areas within 250 meters of previously identified suitable Dakota skipper habitat with a seed mix high in native grasses and forbs.	1, 2, 5	Contractor	Throughout construction and upon completion of construction	Threatened and Endangered Species
30	Design and implement a monitoring plan to ensure that the anticipated amount or extent of Dakota skipper incidental take is not exceeded. Provide an annual report and shapefile to USFWS showing the actual disturbance of the proposed project, in relation to those activities that are expected to result in incidental take of the Dakota skipper. Ensure all conservation measures addressed in the description of the proposed action are formally adopted and implemented (see Biological Opinion for details).	1-6	NDDOT	Prior to construction and throughout construction	Threatened and Endangered Species

Number	Commitment	Segment	Implementing Entity	Timing of Implementation	Environmental Impact Category
31	Offset impacts to suitable Dakota skipper habitat by either purchasing credits from a USFWS approved Dakota skipper bank, establishing offsite or onsite mitigation site in accordance with the most recent USFWS guidance for Dakota skipper conservation bank establishment, or an alternative plan that is approved by the USFWS (see Biological Opinion for details).	1, 2, 5	NDDOT	Upon completion of construction	Threatened and Endangered Species
32	Removals of buildings or structures would be coordinated with affected landowners during ROW negotiations.	2, 3	Project Engineer / NDDOT	Prior to construction	Social and Economic
33	Frequent and open two-way communication between the USAF, the contractor, NDDOT, and the project engineer would occur to minimize disruption to US Highway 52 as a mission essential route for the USAF 91st Missile Wing.	1-6	Project Engineer / NDDOT / USAF 91st Missile Wing	Throughout construction	Social and Economic
34	Develop an inadvertent discovery plan for the project prior to construction. The plan would outline requirements and procedures in the event that cultural resources are discovered.	1-6	NDDOT / Contractor	Prior to construction and throughout construction	Cultural Resources
35	Five cultural resource sites would be monitored by an archaeologist during construction: one archaeological resource that is eligible for listing on the NRHP that would have placement of fill occur on the site, two other archaeological sites that are not eligible for listing on the NRHP but may have been part of a larger site along with the aforementioned eligible site, and two architectural sites consisting of cemeteries that are not eligible that would be avoided. The remaining eligible sites would be avoided, with non-architectural sites fenced during construction to minimize the risk of inadvertent discovery.	2, 4	Contractor / Archaeologist	Prior to construction and throughout construction	Cultural Resources, Section 4(f) Properties
36	Utility conflicts would be addressed through coordination with the relevant utility companies prior to the start of construction. This includes the two USAF cables that cross US Highway 52.	1-6	Project Engineer / Utility Companies / USAF Cable Affairs	Prior to construction and utility line relocation	Infrastructure, Utilities
37	If a utility decides to relocate outside of the existing study area, the utility company would be responsible for environmentally clearing and permitting their new corridor.	1-6	Utility Companies	Prior to construction	Infrastructure, Utilities
38	To minimize disturbance caused by noise during construction and mitigation activities, various BMPs would be implemented (e.g., installing suitable mufflers on all internal combustion engines and certain compressor components).	1-6	Contractor	Throughout construction	Noise
39	NDDOT's Material Source Approval Process would be followed for borrow sites, waste sites, gravel sources, and staging areas.	1-6	Contractor	Prior to construction, throughout construction	Hazardous Waste

Chapter 5: Contributors, Public Involvement, and Coordination

5.1 Coordination with Agencies and Organizations

Throughout the duration of the project, several meetings were held with lead agencies (i.e., NDDOT and FHWA), the participating agency (i.e., USACE North Dakota Regulatory Office), as well as other applicable agencies and organizations such as NDSHPO, WAPA, USFWS, USACE Omaha District Office, and NDGS. Topics discussed at the meetings included, but were not limited to, scope, schedule, design, alternatives, geotechnical investigation, cultural and environmentally sensitive resources, public and agency coordination, utilities, Section 4(f), and USACE procedures.

Due to the level of local interest in the proposed project, a stakeholder working group was formed that included representatives from Brown Township, City of Minot, City of Sawyer, City of Velva, Lebanon Township, McHenry County , New Prairie Township, Sawyer Township, Sundre Township, Velva City Commission, Velva Township, Voltaire Township, Ward County, and Ward County Commission. The stakeholder working group met twice during the preliminary engineering phase: once in-person on April 29, 2024, at the NDDOT Minot District office, and once virtually on October 7, 2024. In addition, the stakeholder working group met once virtually during the environmental document phase on September 25, 2025, and an additional meeting is anticipated prior to the public hearings for this EA.

Pursuant to Section 102(2)(D)(iv) of NEPA, a solicitation of views package was sent to federal, state, and local agencies, and other intersected parties, on April 10, 2024, during the preliminary engineering phase and again during the environmental document phase on April 10, 2025. The letters included a brief description of the proposed project as well as a project location map. Please refer to ***Appendix B, Solicitation of Views Package and Responses*** for copies of the letters sent.

The responses received provided insight into the evaluation of potential environmental impacts and helped to assess impacts from the proposed project. The responses received were incorporated into this document, where appropriate. Please refer to ***Appendix B, Solicitation of Views Package and Responses*** for copies of the responses received.

5.2 Public Involvement

5.2.1 Public Input Meetings

A total of four public input meetings were held for the proposed project, two during the preliminary engineering phase and two during the environmental document phase. The public input meetings consisted of an open house with a formal presentation. The meetings were held to inform the public about the NEPA process, development of project alternatives, and to receive input on the project from the public. A 30-day public comment period was included with the public input meetings, where members of the public could comment on the proposed project.

Two public input meetings were held during the preliminary engineering phase: on October 21, 2024, in Minot, ND, and on October 22, 2024, in Velva, ND. The comment period closed on November 21, 2024, and a ***Public Involvement Report (January 2025)*** (appended by reference) was prepared.

Press releases for the public input meetings were released by the NDDOT on October 14, 2024. In addition, newspaper advertisements announcing the meetings were published on October 2, 2024, in the Minot Daily News and Mouse River Journal. A post was made on the NDDOT's Facebook page on October 14, 2024, and postcards were sent out to landowners along the corridor prior to the meeting.

Two public input meetings were held during the environmental document phase: on September 29, 2025, in Velva, ND and on September 30, 2025, in Minot, ND. The comment period closed on October 15, 2025, and a ***Public Involvement Report (November 2025)*** (appended by reference) was prepared.

Press releases for the second round of public input meetings were released by the NDDOT on September 22, 2025. In addition, newspaper advertisements announcing the meetings were published on September 10, 2025, in the Minot Daily News and Mouse River Journal. A post was made on the NDDOT's Facebook page on September 22, 2025, and postcards were sent out to landowners along the corridor prior to the meeting.

5.2.2 Public Hearing

Public hearings for the proposed project are anticipated to occur in spring or summer 2026 in Minot, ND, and Velva, ND. The purpose of the public hearings is to allow for public input on the EA, which is required for compliance with NEPA. The public hearings will consist of an open house format with a formal presentation. A 30-day public comment period will occur for the EA, where members of the public can comment on the EA.

5.3 Contributors

This EA was prepared by Ulteig Operations, LLC (Ulteig), under a contractual agreement with NDDOT. A list of the individuals with the primary responsibility of conducting this study, preparing documentation, and providing technical reviews can be found in ***Table 24, Contributors.***

Table 24, Contributors

Affiliation	Name	Title	Project Role
FHWA	Melissa Carson (former)	Environmental Program Manager	Project Coordination, Document Review
	Lindsey Handel	Deputy Division Administrator	Document Review
	Kristen Sperry	Planning Program Manager	Document Review
NDDOT	Chad Frisinger	Assistant Division Engineer	Technical Support
	Patty Winn	Environmental Scientist	Technical Support
	Cory Lawson	Environmental Services Section Leader	Document Review
	Alexis Wanek	Environmental Scientist	Document Review, Noise Review
	Wyatt Mack	Wildlife Biologist	Document Review, BA Review
	Reilly Lembo	Archaeologist II	Document Review, Cultural Coordination and Review
USACE	Ben Soiseth	State Project Manager	Document Review
	Michelle Prosser	Project Manager	Document Review

Affiliation	Name	Title	Project Role
Ulteig	Nikki Olson	Engineer	Environmental Lead, EA Author, Noise Analysis
	Ashley Ross	Senior Environmental Specialist	EA Author, Document Review
	Whitney Sauskojus	Environmental Specialist	EA Author, BA Author
	Mike Huffington	Project Manager	Project Manager, Senior Reviewer, Structure/Bridge Assessment, Project Coordination
	Josh Kueber	Senior Project Manager	Deputy Project Manager, Design Lead
	Jeff Moss	Lead Environmental Specialist	Aquatic Resource Delineation, Dakota Skipper Survey, Structure/Bridge Assessment
	Mikayla Boche	Environmental Technical Manager	Project Coordination, Document Review
	Corie Ereth	Environmental Supervisor	BA Review
	Nick Anderson	Senior Environmental Specialist	Aquatic Resources Delineation, Structure/Bridge Assessment
	Perry Sullivan	Certified Professional Soil Classifier	Aquatic Resources Soil Classifier
	Hal Weiser	Certified Professional Soil Classifier	Aquatic Resources Soil Classifier
	Dave Breker	Certified Professional Soil Classifier	Aquatic Resources Soil Classifier
	Bed Rhodd	Lead Cultural Resource Specialist	Cultural Monitor
Apex	Brent Muscha	Civil Engineer, Project Manager	Project Manager, Project Coordination
	Matt Mohagen	Graduate Engineer	Design
Metcalf Archaeology	Damita Engel	Manager Regional Services, Senior Archaeologist	Class III Cultural Resources Inventory and Report
	Michael Jackson	Principal Investigator	Class III Cultural Resources Inventory and Report
	Andrew Reinhard	Principal Investigator	Class III Cultural Resources Inventory and Report
	Emily Sakariassen	Architectural Historian (subconsultant)	Class III Architectural Inventory

Chapter 6: References

BLM. (2016). *Potential Fossil Yield Classification (PFYC) System for Paleontological Resources on Public Lands* (Instruction Memorandum IM 2016-124). UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT. https://www.blm.gov/policy/im-2016-124

Brett, C. K., Mehner, A. R., Young, J. H., Lehnen, S. E., & Kline, R. J. (2025). Spatiotemporal responses to a rural highway by four mammal species. *Frontiers in Ecology and Evolution*, *13*. https://doi.org/10.3389/fevo.2025.1566882

Canadian Wildlife Service (CWS)and U.S. Fish and Wildlife Service (USFWS). (2007). *International recovery plan for the whooping crane* (p. 163). Ottawa: Recovery of Nationally Endangered Wildlife (RENEW), and U.S. Fish and Wildlife Service, Albuquerque, New Mexico.

Clayton, L. (1980). *Geologic map of North Dakota*. U.S. Geological Survey. https://doi.org/10.3133/70210913

Davies, W. (2025). *Economic analysis: Minot Air Force Base's impact on city of Minot*. Minot Air Force Base. https://www.minot.af.mil/News/Article-Display/Article/4118124/economic-analysis-minot-air-force-bases-impact-on-city-of-minot/

FHWA. (2015). *FHWA | Environmental Review Toolkit | Guidelines for the Visual Impact Assessment of Highway Projects*. https://www.environment.fhwa.dot.gov/env_topics/other_topics/VIA_Guidelines_for_Highway_Projects.aspx

Gillam, E., Nelson, J. J., & Barnhart, P. (n.d.). *NORTH DAKOTA STATE BAT MANAGEMENT PLAN*.

iNaturalist. (n.d.). *Observations—Custom Boundary*. iNaturalist. Retrieved March 2, 2026, from https://www.inaturalist.org/observations

Long, A. M., Colón, M. R., Bosman, J. L., Robinson, D. H., Pruett, H. L., McFarland, T. M., Mathewson, H. A., Szewczak, J. M., Newnam, J. C., & Morrison, M. L. (2017). A before–after control–impact assessment to understand the potential impacts of highway construction noise and activity on an endangered songbird. *Ecology and Evolution*, *7*(1), 379–389. https://doi.org/10.1002/ece3.2608

NDDA. (n.d.). *Noxious Weeds*. Retrieved https://www.ndda.nd.gov/divisions/plant-industries/noxious-weeds

NDDEQ. (n.d.). *North Dakota Surface Water Quality Impairment Status—Assessed Categories Map*. Retrieved https://arc-gis-hub-home-arcgishub.hub.arcgis.com/maps/DEQ-ndgov::north-dakota-surface-water-quality-impairment-status-assessed-categories-map/about

NDDEQ. (2022). *North Dakota State Implementation Plan for Regional Haze* (p. 3236). https://deq.nd.gov/publications/AQ/Planning/RegionalHaze/Round_2/ND_Proposed_RH2_SIPrevision_8-11-2022.pdf

NDDEQ. (2025a). *NDDEQ Source Water Protection Areas*. https://www.arcgis.com/apps/mapviewer/index.html?webmap=293a6576bfca4b33bda08ab274e84202&extent=-104.1495,45.9117,-96.8545,49.0763

NDDEQ. (2025b). *North Dakota Ambient Monitoring Network Plan/Assessment With Data Summary 2025 DRAFT*. 108. https://deq.nd.gov/DataPDFs/AQ/Monitoring/Monitoring_Annual_Reports/ARNP_25.pdf

NDDOT. (2021). *Minot to Carrington—Passing Lanes* (p. 28). NDDOT.

NDDOT. (2025). *Standard Specifications for Road and Bridge Construction*. 522. https://www.dot.nd.gov/construction-and-planning/construction-and-contractor-resources/road-and-bridge-construction

NDGF. (n.d.-a). *ANS Infested Waters in North Dakota*. Retrieved https://gf.nd.gov/ans/infested-waters

NDGF. (n.d.-b). *Game Species, Common Fish Species, Etc.* Retrieved https://gf.nd.gov/wildlife/id

NDGF. (n.d.-c). *Habitats | North Dakota Game and Fish*. Retrieved https://gf.nd.gov/wildlife/habitats/habitats

NDGFD. (2025). *North Dakota State Wildlife Action Plan 2025*.

NDSU, NDGF, Bell Museum, & HerpMapper. (2024). *Amphibians and Reptiles of North Dakota | North Dakota Herp Atlas*. https://www.ndherpatlas.org/

NOAA. (2025). *Proposed Species Under the Endangered Species Act*. (National). NOAA. https://www.fisheries.noaa.gov/endangered-species-conservation/proposed-species-under-endangered-species-act

Shamoon, H., Maor, R., Saltz, D., & Dayan, T. (2018). *Increased mammal nocturnality in agricultural landscapes results in fragmentation due to cascading effects.* https://doi.org/doi: 10.1016/j.biocon.2018.07.028

Smith, A., & Liggett, G. (2021). *PFYC: A Rapid Assessment Tool for Paleontology*. Bureau of Land Management. https://www.blm.gov/blog/2021-07-08/pfyc-rapid-assessment-tool-paleontology

SRF Consulting Group, Inc. (2015). *McHenry County Comprehensive Plan 2015—2035*.

USDA & NRCS. (2024). *Web Soil Survey*. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

USEPA. (2022). *Fugitive Dust Control Measures and Best Practices*. 6.

USEPA. (2025, January). *Drinking Water Mapping Application to Protect Source Waters (DWMAPS)* [Data and Tools]. https://www.epa.gov/sourcewaterprotection/drinking-water-mapping-application-protect-source-waters-dwmaps

USEPA. (2026). *Aquatic Nuisance Species (ANS)* [Overviews and Factsheets]. https://www.epa.gov/vessels-marinas-and-ports/aquatic-nuisance-species-ans

USFWS. (n.d.-a). *Bald and Golden Eagle Protection Act | U.S. Fish & Wildlife Service*. Retrieved October 20, 2025, from https://www.fws.gov/law/bald-and-golden-eagle-protection-act

USFWS. (n.d.-b). *Migratory Bird Program Administrative Flyways | U.S. Fish & Wildlife Service*. Retrieved https://www.fws.gov/partner/migratory-bird-program-administrative-flyways

USFWS. (2012). *Upper Souris National Wildlife Refuge, Fishing*. https://www.govinfo.gov/content/pkg/GOVPUB-I49-PURL-gpo122815/pdf/GOVPUB-I49-PURL-gpo122815.pdf

USFWS. (2017a). *Candidate Species—Section 4 of the Endangered Species Act*. 1. https://www.fws.gov/sites/default/files/documents/Candidate-Species.pdf

USFWS. (2017b). *Critical Habitat*. 2. https://www.fws.gov/sites/default/files/documents/critical-habitat-fact-sheet.pdf

USFWS. (2025). *2025 USFWS NDFO Conservation Recommendations*. U.S. Fish and Wildlife Service - North Dakota Ecological Services Field Office.

USFWS & Department of Interior. (1973). *Endangered Species Act of 1973, As Amended through the 108th Congress*. 44. https://www.fws.gov/sites/default/files/documents/endangered-species-act-accessible_7.pdf

Ward County. (n.d.). *Noxious Weeds | Ward County, ND*. Retrieved https://www.co.ward.nd.us/251/Noxious-Weeds

Ward County. (2019a). *Ward County Comprehensive Plan*. https://www.co.ward.nd.us/DocumentCenter/View/4810/Ward_County_Comp_Final_Sept-2019

Ward County. (2019b). *Ward County Transportation Plan* (p. 67). https://www.co.ward.nd.us/DocumentCenter/View/4689/2019_WC_Transportation_Plan

Appendix A, FHWA Cooperating and Participating Agency Letters

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 14, 2025

Ms. Hanna Edens
ND Ecological Services Field Office
US Fish & Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501

Re: Invitation to Become a Participating Agency on US 52 Four Lane Project
NDDOT Project No. 4-052(109)101, PCN 24012

Dear Ms. Edens,

The Federal Highway Administration (FHWA), in cooperation with the North Dakota Department of Transportation (NDDOT), is initiating an environmental assessment (EA) to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. Please refer to the enclosed Project Location Map.

The proposed project would expand US Highway 52 from a two-lane highway to a four-lane highway. The purpose of the proposed project, as currently defined, is to address public safety concerns, accommodate existing and future traffic needs, fulfill legislative obligations, and address social and economic demands within the region.

The US Fish and Wildlife Service (USFWS) has been identified as an agency that may have an interest in the project due to potential impacts to federally listed species and your agency's regulatory responsibilities related to the Endangered Species Act. With this letter, we extend your agency an invitation to become a participating agency with FHWA in the development of the EA, in accordance with the National Environmental Policy Act (NEPA) and the environmental review procedures outlined in 23 U.S.C. § 139. This designation does not imply that your agency supports the proposal.

Pursuant to 23 U.S.C. § 139, originally established under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and amended by the Infrastructure Investment and Jobs Act (IIJA), the roles of cooperating and participating agencies in the environmental review process are clearly defined to promote early coordination and efficient decision-making. Participating agencies are responsible for identifying, as early as practicable, any environmental, cultural, or socioeconomic issues that could substantially delay or prevent the issuance of a permit or other approval required for the project. While they do not have the same level of responsibility as cooperating agencies, participating agencies play an important role in shaping the environmental review by contributing to scoping and providing input on key elements of the analysis. We suggest that your agency's participation in this project include the following, as it relates to your area of expertise:

1. Provide early input on defining the purpose and need, determining the range of alternatives to be considered, and identifying key issues or methodologies to be addressed in the environmental analysis.

2. Participate in coordination meetings, as appropriate.

3. Review and comment on draft environmental documents to ensure that your agency's views and concerns are reflected in the analysis.

Please respond to FHWA in writing with an acceptance or denial of the invitation prior to May 30, 2025. If your agency declines, the response should state your reason for declining the invitation. If your agency declines to serve as a participating agency, the response must include the specific reason for declining and, in accordance with 23 U.S.C. § 139(d)(4), must explicitly state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this environmental assessment, please contact Melissa Carson, FHWA Environmental Program Manager at 701.221.9470 or melissa.carson@dot.gov.

Thank you for your cooperation and interest in this project.

Sincerely,

For Wendall L. Meyer
Acting Division Administrator

Enclosure

cc: Patty Winn, NDDOT
Chad Frisinger, NDDOT
Kristen Sperry, FHWA

Ulteig

We listen. We solve.

N

0 0.5 1 2 Miles

Map Exported: 03/19/2025

Project Corridor
US 52 Mile Markers
Project Beginning/End Point
State Highway
US Highway
Railroads
Township Lines
Section Lines
County Boundary
Corporate Boundaries

US 52 Four Lane

Ward, McHenry County

4-052(109)101, PCN 24012

NORTH Dakota | Transportation

Be Legendary.

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 14, 2025

Mr. Ben Soiseth
ND Regulatory Office
US Army Corps of Engineers
3319 University Dr
Bismarck, ND 58504

Re: Invitation to Become a Participating Agency on US 52 Four Lane Project
NDDOT Project No. 4-052(109)101, PCN 24012

Dear Mr. Soiseth,

The Federal Highway Administration (FHWA), in cooperation with the North Dakota Department of Transportation (NDDOT), is initiating an environmental assessment (EA) to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. Please refer to the enclosed Project Location Map.

The proposed project would expand US Highway 52 from a two-lane highway to a four-lane highway. The purpose of the proposed project, as currently defined, is to address public safety concerns, accommodate existing and future traffic needs, fulfill legislative obligations, and address social and economic demands within the region.

The US Army Corps of Engineers (USACE) North Dakota Regulatory Office has been identified as an agency that may have an interest in the project due to potential impacts to jurisdictional waterbodies and your agency's regulatory responsibilities related to Section 404 of the Clean Water Act. With this letter, we extend your agency an invitation to become a participating agency with FHWA in the development of the EA, in accordance with the National Environmental Policy Act (NEPA) and the environmental review procedures outlined in 23 U.S.C. § 139. This designation does not imply that your agency supports the proposal.

Pursuant to 23 U.S.C. § 139, originally established under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and amended by the Infrastructure Investment and Jobs Act (IIJA), the roles of cooperating and participating agencies in the environmental review process are clearly defined to promote early coordination and efficient decision-making. Participating agencies are responsible for identifying, as early as practicable, any environmental, cultural, or socioeconomic issues that could substantially delay or prevent the issuance of a permit or other approval required for the project. While they do not have the same level of responsibility as cooperating agencies, participating agencies play an important role in shaping the environmental review by contributing to scoping and providing input on key elements of the analysis. We suggest that your agency's participation in this project include the following, as it relates to your area of expertise:

1. Provide early input on defining the purpose and need, determining the range of alternatives to be considered, and identifying key issues or methodologies to be addressed in the environmental analysis.

2. Participate in coordination meetings, as appropriate.

3. Review and comment on draft environmental documents to ensure that your agency's views and concerns are reflected in the analysis.

Please respond to FHWA in writing with an acceptance or denial of the invitation prior to May 30, 2025. If your agency declines, the response should state your reason for declining the invitation. If your agency declines to serve as a participating agency, the response must include the specific reason for declining and, in accordance with 23 U.S.C. § 139(d)(4), must explicitly state that your agency:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this environmental assessment, please contact Melissa Carson, FHWA Environmental Program Manager at 701.221.9470 or melissa.carson@dot.gov.

Thank you for your cooperation and interest in this project.

Sincerely,

For Wendall L. Meyer
Acting Division Administrator

Enclosure

cc: Patty Winn, NDDOT
Chad Frisinger, NDDOT
Kristen Sperry, FHWA

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 14, 2025

Mr. John Stavrianopoulos
Upper Great Plains Regional Office
Western Area Power Administration
PO Box 35800
Billing, MT 59107-5800

Re: Invitation to Become a Cooperating Agency on US 52 Four Lane Project
NDDOT Project No. 4-052(109)101, PCN 24012

Dear Mr. Stavrianopoulos,

The Federal Highway Administration (FHWA), in cooperation with the North Dakota Department of Transportation (NDDOT), is initiating an environmental assessment (EA) to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map***.

The proposed project would expand US Highway 52 from a two-lane highway to a four-lane highway. The purpose of the proposed project, as currently defined, is to address public safety concerns, accommodate existing and future traffic needs, fulfill legislative obligations, and address social and economic demands within the region.

The Western Area Power Administration (WAPA) has been identified as an agency that may have an interest in the project due to potential impacts to two existing overhead transmission lines owned and operated by WAPA. With this letter, we extend your agency an invitation to become a cooperating agency with FHWA in the development of the EA in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act. This designation does not imply that your agency supports the proposal.

Pursuant to 23 U.S.C. § 139, originally established under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and amended by the Infrastructure Investment and Jobs Act (IIJA), the roles of cooperating and participating agencies are clearly defined to promote early coordination and efficient decision-making in the environmental review process. Both cooperating and participating agencies are responsible for identifying, as early as practicable, any environmental, cultural, or socioeconomic issues that could substantially delay or prevent the issuance of a permit or other approval required for the project. While participating agencies provide input and review project documents, cooperating agencies have a greater degree of authority, responsibility, and involvement, particularly in developing the environmental analysis and reviewing technical materials relevant to their expertise or jurisdiction. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.

2. Participate in coordination meetings, as appropriate.

3. Timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Please respond to FHWA in writing with either an acceptance or denial of this invitation by May 30, 2025. If your agency declines, we request that you include a brief explanation for your decision, consistent with the requirements outlined in 23 U.S.C. § 139.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this environmental assessment, please contact Melissa Carson, FHWA Environmental Program Manager at 701.221.9470 or melissa.carson@dot.gov.

Thank you for your cooperation and interest in this project.

Sincerely,

For Wendall L. Meyer
Acting Division Administrator

Enclosure

cc: Patty Winn, NDDOT
Chad Frisinger, NDDOT
Kristen Sperry, FHWA

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 14, 2025

Ms. Michelle Prosser
Project Manager
St. Paul District
US Army Corps of Engineers
332 Minnesota St., Suite E1500
St. Paul, MN 55101

Re: Invitation to Become a Cooperating Agency on US 52 Four Lane Project
NDDOT Project No. 4-052(109)101, PCN 24012

Dear Ms. Prosser,

The Federal Highway Administration (FHWA), in cooperation with the North Dakota Department of Transportation (NDDOT), is initiating an environmental assessment (EA) to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map***.

The proposed project would expand US Highway 52 from a two-lane highway to a four-lane highway. The purpose of the proposed project, as currently defined, is to address public safety concerns, accommodate existing and future traffic needs, fulfill legislative obligations, and address social and economic demands within the region.

The US Army Corps of Engineers (USACE) St. Paul District has been identified as an agency that may have an interest in the project due to potential impacts to an existing USACE managed levee around the city of Velva and your agency's Section 408 regulatory responsibilities. With this letter, we extend your agency an invitation to become a cooperating agency with FHWA in the development of the EA in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act. This designation does not imply that your agency supports the proposal.

Pursuant to 23 U.S.C. § 139, originally established under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and amended by the Infrastructure Investment and Jobs Act (IIJA), the roles of cooperating and participating agencies are clearly defined to promote early coordination and efficient decision-making in the environmental review process. Both cooperating and participating agencies are responsible for identifying, as early as practicable, any environmental, cultural, or socioeconomic issues that could substantially delay or prevent the issuance of a permit or other approval required for the project. While participating agencies provide input and review project documents, cooperating agencies have a greater degree of authority, responsibility, and involvement, particularly in developing the environmental analysis and reviewing technical materials relevant to their expertise or jurisdiction. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.

2. Participate in coordination meetings, as appropriate.

3. Timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Please respond to FHWA in writing with either an acceptance or denial of this invitation by May 30, 2025. If your agency declines, we request that you include a brief explanation for your decision, consistent with the requirements outlined in 23 U.S.C. § 139.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this environmental assessment, please contact Melissa Carson, FHWA Environmental Program Manager at 701.221.9470 or melissa.carson@dot.gov.

Thank you for your cooperation and interest in this project.

Sincerely,

For Wendall L. Meyer
Acting Division Administrator

Enclosure

cc: Patty Winn, NDDOT
Chad Frisinger, NDDOT
Kristen Sperry, FHWA

From: Mike Huffington
Sent: Monday, April 13, 2026 2:06 PM
To: Mikayla Boche; Nikki Olson; Whitney Sauskojus
Cc: Josh Kueber
Subject: FW: US 52 Four Lane - FHWA Invitation to Participate

See USACE Regulatory acceptance email below.

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Inman, Amber L CIV USARMY CENWO (USA) <Amber.L.Inman@usace.army.mil>
Sent: Thursday, May 29, 2025 7:11 AM
To: Mike Huffington <mike.huffington@ulteig.com>
Cc: Carson, Melissa (FHWA) <melissa.carson@dot.gov>; Nygard, Jeremy S CIV USARMY CENWO (USA) <Jeremy.S.Nygard@usace.army.mil>; Soiseth, Benjamin N CIV USARMY CENWO (USA) <Benjamin.N.Soiseth@usace.army.mil>
Subject: RE: US 52 Four Lane - FHWA Invitation to Participate

External Sender Warning: Proceed with Caution!

Good morning Mike-

Ben Soiseth is out this week; the Corps accepts your invitation to be a participating party in the environmental review process for the US Highway 52 project. Thanks and enjoy the rest of your week!

Respectfully,
Amber Inman
ND Regulatory Project Manager
U.S. Army Corps of Engineers
(701) 989-6428 (office)
(701) 226-2719 (cell)

From: Mike Huffington <mike.huffington@ulteig.com>
Sent: Thursday, May 15, 2025 6:38 AM
To: Soiseth, Benjamin N CIV USARMY CENWO (USA) <Benjamin.N.Soiseth@usace.army.mil>
Cc: Carson, Melissa (FHWA) <melissa.carson@dot.gov>
Subject: [Non-DoD Source] US 52 Four Lane - FHWA Invitation to Participate

Good morning Mr. Soiseth,

Attached is a formal invitation letter from the Federal Highway Administration, inviting the US Army Corps of Engineers – North Dakota Regulatory Office to serve as a participating agency in the environmental review process for the US Highway 52 Four-Lane Expansion Project.

Please don't hesitate to reach out with any questions.

Kindly note that a response to this invitation is requested by **May 30, 2025**.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Mike Huffington
To: Mikayla Boche; Nikki Olson; Josh Kueber; Whitney Saukokus
Subject: FW: [EXTERNAL] US 52 Four Lane - FHWA Invitation to Participate
Date: Wednesday, March 25, 2026 1:40:52 PM
Attachments: image001.png

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Edens, Hanna K <hanna_edens@fws.gov>
Sent: Monday, June 9, 2025 3:19 PM
To: Mike Huffington <mike.huffington@ulteig.com>
Cc: Carson, Melissa (FHWA) <melissa.carson@dot.gov>
Subject: RE: [EXTERNAL] US 52 Four Lane - FHWA Invitation to Participate

External Sender Warning: Proceed with Caution!

Hey Mike and Melissa,

Thank you for the opportunity to collaborate as a cooperating agency for the US Highway 52 Four-Lane Expansion Project. We are not able to take on the role as a cooperating agency for this project at this time, however, we will continue to engage in conservations for ESA listed species via section 7 consultation. Appreciate your patience with us getting back to you on this.

Best,
Hanna

~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

Hanna Edens, MSc, AWB®
Fish and Wildlife Biologist | North Dakota Field Office
Ecological Services | U.S. Fish and Wildlife Service
Main Office: (701) 250-4481
Cell Phone: (701) 954-0312
Email: hanna_edens@fws.gov

From: Mike Huffington <mike.huffington@ulteig.com>
Sent: Thursday, May 15, 2025 6:38 AM
To: Edens, Hanna K <hanna_edens@fws.gov>
Cc: Carson, Melissa (FHWA) <melissa.carson@dot.gov>
Subject: [EXTERNAL] US 52 Four Lane - FHWA Invitation to Participate
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning Ms. Edens,

Attached is a formal invitation letter from the Federal Highway Administration, inviting the US Fish and Wildlife Service to serve as a participating agency in the environmental review process for the US Highway 52 Four-Lane Expansion Project.

Please don't hesitate to reach out with any questions.

Kindly note that a response to this invitation is requested by **May 30, 2025**.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Stavrianopoulos, John <Stavrianopoulos@WAPA.GOV>
Sent: Tuesday, August 5, 2025 3:23 PM
To: Mike Huffington
Cc: Noel, David
Subject: RE: [EXTERNAL] RE: US 52 Four Lane - FHWA Invitation to Participate

External Sender Warning: Proceed with Caution!

Hello Mr. Huffington,

Thank you for the reminder.
We are okay with not being a participating agency, and you are free to proceed without us.

Thank you,
John Stavrianopoulos | Transmission Lines Engineer
701-221-4555 | stavrianopoulos@wapa.gov
Western Area Power Administration | Upper Great Plains

From: Mike Huffington <mike.huffington@ulteig.com>
Sent: Tuesday, August 5, 2025 10:14 AM
To: Stavrianopoulos, John <Stavrianopoulos@WAPA.GOV>
Subject: [EXTERNAL] RE: US 52 Four Lane - FHWA Invitation to Participate

EXTERNAL E-MAIL: Before you click a link or open an attachment... STOP and THINK.
Forward any suspicious e-mail to spam@wapa.gov, or call WITCC at (720) 962-7111.

Good morning Mr. Stavrianopoulos,

I am just following up regarding my email back in May inviting WAPA to be a participating agency for our ongoing environmental review for the NDDOT four-lane expansion of US Highway 52. I know your agency has undergone a number of personnel changes this year, but we have not yet received a response regarding our invitation, and I wanted to follow up and see if WAPA was still interested in being a participating agency on the project. We are currently in the process of writing the Draft EA and would provide WAPA a copy of the document for review and comment should you elect to be a participating agency.

If you could please respond at your earliest convenience, it would be greatly appreciated.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Mike Huffington
Sent: Thursday, May 15, 2025 6:39 AM
To: Stavrianopoulos, John <stavrianopoulos@wapa.gov>
Cc: Carson, Melissa (FHWA) <melissa.carson@dot.gov>
Subject: US 52 Four Lane - FHWA Invitation to Participate

Good morning Mr. Stavrianopoulos,

Attached is a formal invitation letter from the Federal Highway Administration, inviting the Western Area Power Administration to serve as a cooperating agency in the environmental review process for the US Highway 52 Four-Lane Expansion Project.

Please don't hesitate to reach out with any questions.

Kindly note that a response to this invitation is requested by **May 30, 2025**.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Mike Huffington
To: Mikayla Boche; Nikki Olson; Josh Kueber; Whitney Sauskojus
Subject: FW: US 52 Four Lane - FHWA Invitation to Participate
Date: Wednesday, March 25, 2026 1:41:21 PM
Attachments: image001.png

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Prosser, Michelle E CIV USARMY CEMVP (USA) <Michelle.E.Prosser@usace.army.mil>
Sent: Friday, August 8, 2025 2:56 PM
To: Mike Huffington <mike.huffington@ulteig.com>
Subject: RE: US 52 Four Lane - FHWA Invitation to Participate

External Sender Warning: Proceed with Caution!

Hi Mike,

My apologies for not getting back to you sooner.

No, the Corps will not be able to be a cooperating agency on this project. We don't have funding at this time to be able to participate.

Thank you,

Michelle

From: Mike Huffington <mike.huffington@ulteig.com>
Sent: Tuesday, August 5, 2025 4:04 PM
To: Prosser, Michelle E CIV USARMY CEMVP (USA) <Michelle.E.Prosser@usace.army.mil>
Subject: [Non-DoD Source] RE: US 52 Four Lane - FHWA Invitation to Participate

Good afternoon Ms. Prosser,

I am just following up regarding my email back in May inviting the US Army Corps of Engineers – St. Paul District to be a cooperating agency for our ongoing environmental review for the NDDOT four-lane expansion of US Highway 52. I was going through my records today and realized that I do not believe we have received a response regarding our invitation, and I wanted to follow up and see if your agency was still interested in being a cooperating agency on the project. We are currently in the process of writing the Draft EA and would provide your office a copy of the document for review and comment should you elect to be a cooperating agency.

If you could please respond at your earliest convenience, it would be greatly appreciated.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Mike Huffington
Sent: Thursday, May 15, 2025 6:39 AM
To: Prosser, Michelle E CIV USARMY CEMVP (USA) <michelle.e.prosser@usace.army.mil>
Cc: Carson, Melissa (FHWA) <melissa.carson@dot.gov>
Subject: US 52 Four Lane - FHWA Invitation to Participate

Good morning Ms. Prosser,

Attached is a formal invitation letter from the Federal Highway Administration, inviting the US Army Corps of Engineers – St. Paul District to serve as a cooperating agency in the environmental review process for the US Highway 52 Four-Lane Expansion Project.

Please don't hesitate to reach out with any questions.

Kindly note that a response to this invitation is requested by **May 30, 2025**.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

Appendix B, Solicitation of Views Package and Responses

4-052(109)101 US Highway 52 Four Lane SOV LIST *PCN 24012*

CTitle	First	Last	Title	Department	Agency	Email	Address	City	State	Zip
Mr.	Nathan	Davis	Executive Director		Indian Affairs Commission	nathan.davis@nd.gov	600 E. Blvd. Ave. 1st Floor, Judicial Wing, Rm 117	Bismarck	ND	58505-0300
MG	Alan	Dohrmann	Adjutant General		ND National Guard	alan.s.dohrmann.mil@army.mil	PO Box 5511	Bismarck	ND	58506-5511
Mr.	Justin	Messner	Disaster Recovery Chief	Department of Homeland Security	ND Department of Emergency Services	jmessner@nd.gov	PO Box 5511	Bismarck	ND	58506
Mr.	Buce	Kreft	Supervisor	Conservation Section	ND Game & Fish Department	bkreft@nd.gov	100 Bismarck Expressway	Bismarck	ND	58501-5095
Mr.	Cody	Schulz	Director		ND Parks & Recreation Dept.	parkrec@nd.gov	1600 E. Century Ave., Suite 3	Bismarck	ND	58503-0649
			Project Reviews		Department of Water Resources	dwrprojectreview@nd.gov	900 E. Blvd. Ave.	Bismarck	ND	58505-0850
Dr.	Jodi	Delozier	Soil Conservation Program Director and Specialist	NDSU Extension	Soil Conservation Committee	jodi.delozier@ndsu.edu	NDSU Dept. 7390, PO Box 6050	Fargo	ND	58108-6050
Dr.	Clint	Boyd	Senior Paleontologist		ND Geological Survey	caboyd@nd.gov	600 E. Blvd. Ave.	Bismarck	ND	58505
Mr.	David	Glatt	Director		ND Department of Environmental Quality	dglatt@nd.gov	4201 Normandy St.	Bismarck	ND	58503-1324
			Project Reviews		Department of Water Resources	dwrprojectreview@nd.gov	900 E. Blvd. Ave.	Bismarck	ND	58505-0850
Mr.	Daniel	Lewis, P.E.		Chief Missile Engineering	Minot Air Force Base	daniel.lewis.23@us.af.mil	445 Peacekeeper Place	Minot AFB	ND	58705
Mr.	Cy	Munos	Cable Affairs Officer	91st Missile Maintenance Squadron	Minot Air Force Base	cy.munos@us.af.mil	300 Minuteman Drive	Minot AFB	ND	58705
Mr.	Timothy	LaPointe	Regional Director	Great Plains Regional Office	Bureau of Indian Affairs	timothy.lapointe@bia.gov	115 4th Ave, SE, Suite 400	Aberdeen	SD	57401
Mr.	Marc	Kress	North Dakota Maintenance Manager	Western Area Power Admin.	US Department of Energy	Kress@wapa.gov	PO Box 1173	Bismarck	ND	58502-1173
			Manager		US Fish & Wildlife Service					
			Manager		US Fish & Wildlife Service					
Mr.	Cem	Onbasi	Accountant		Jefferson Lines	Conbasi@jeffersonlines.com	2100 East 26th St	Minneapolis	MN	58404
Mr.	Darrell	Francis	Executive Director		Souris Basin Transportation Board Inc.	sbtransit@srt.com	PO Box 2211	Minot	ND	58702
Mr.	Brian	Horinka	Transit Director		Minot, City of	brian.horinka@minotnd.org	515 2nd Avenue SW	Minot	ND	58701
Ms.	Lisa	Bartlett	Director		Kenmare Wheels & Meals, Inc.	wandm@restel.net	221 N Central Avenue	Kenmare	ND	58746
Mr.	Thomas	Claeys	State Forester		ND Forest Service	Thomas.Claeys@ndsu.edu	916 East Interstate Ave., Suite #4	Bismarck	ND	58503-1227
Mr.	Mark	Johnson	Executive Director		ND Association of Counties		1661 Capitol Way, PO Box 877	Bismarck	ND	58502-0877
Mr.	Edward	Murphy	State Geologist		ND Geological Survey	emurphy@nd.gov	600 E. Blvd. Ave.	Bismarck	ND	58505-0840
Mr.	Amundson	Erik	Regional Administrator	Regional Office	Department of HUD	erik.amundson@hud.gov	1670 Broadway, Ste. 200	Denver	CO	80202-4813
			Director, Federal Insurance & Hazard Mitigation Division	Region 8	Federal Emergency Mngmt. Agency		Bldg 710, Box 25267	Denver	CO	80225
Mr.	Eric	Laux	Chief, Environmental Resources and MO River Recovery Program Plan Formulation Section	Omaha District Attn: CENWO-PM-AC	US Army Corps of Engineers		1616 Capitol Avenue	Omaha	NE	68102-4901
Ms.	Mary	Podoll	State Conservationist	NRCS	US Department of Agriculture	mary.podoll@nd.usda.gov	PO Box 1458	Bismarck	ND	58502-1458
Mr.	Alex	Smith		Economic Development Administration	US Department of Commerce	asmith1@eda.gov	1244 Speer Blvd., Suite 431	Denver	CO	80204
Mr.	Matt	Hubner	NEPA Reviewer: Transportation Lead	Region 8, EPR-N	US Environmental Protection Agency	hubner.matt@epa.gov	1595 Wynkoop Street	Denver	CO	80202-1129
Ms.	Judy	Bloom	Manager	Region 8, EPR-EP	US Environmental Protection Agency		1595 Wynkoop Street	Denver	CO	80202-1129
Senator	Kevin	Cramer	US Senator		US Federal Building, Room 228		220 E. Rosser Ave.	Bismarck	ND	58501
Senator	John	Hoeven	US Senator		US Federal Building, Room 312		220 E. Rosser Ave.	Bismarck	ND	58501
Congressman	Kelly	Armstrong	Congressman		US Federal Building, Room 228		220 E. Rosser Ave.	Bismarck	ND	58501
Ms.	Ben	Soiseth	Manager	ND Regulatory Office	US Army Corps of Engineers	CENWO-OD-RND@usace.army.mil	3319 University Drive	Bismarck	ND	58504
Mr.	Joel	Galloway	Supervisor	Water Resources Division	US Geological Survey	jgallowa@usgs.gov	821 E. Interstate Ave.	Bismarck	ND	58501
Advocacy	Group	Contact								
			Assessor		City of Minot	assessor@minotnd.gov	10 3rd Ave SW	Minot	ND	58701
	Tom	Ross	Mayor		City of Minot	mayor@minotnd.gov	10 3rd Ave SW	Minot	ND	58701
	Dave	Rodman	Traffic Foreman		City of Minot	dave.rodman@minotnd.gov	PO Box 5006	Minot	ND	58702
PE	Lance	Meyer	City Engineer		City of Minot	engineer@minotnd.gov	PO Box 5006	Minot	ND	58702
	John	Klug	Police Chief		City of Minot	john.klug@minotnd.gov	PO Box 5006	Minot	ND	58702
	Elly	DesLauriers	Director of Parks		City of Minot	elly@minotparks.com	PO Box 538	Minot	ND	58702
	Kelli	Kronschnabel	Fire Chief		City of Minot	kelli.kronschnabel@minotnd.gov	PO Box 5006	Minot	ND	58702
	Brekka	Kramer	President	Chamber of Commerce	City of Minot	brekka@minotchamberedc.com	PO Box 940	Minot	ND	58702
	Brian	Billingsley	Director	Community and Economic Development	City of Minot	brian.billingsley@minotnd.gov	PO Box 5006	Minot	ND	58702
	Perry	Olson	President	Park Board	City of Minot	perry.olson@minotparks.com	PO Box 5006	Minot	ND	58702
	Doug	Diedrichsen	Principal Planner	Planning	City of Minot	planner@minotnd.gov	PO Box 5006	Minot	ND	58702
	Brian	Horinka	Transit Superintendent	Public Works	City of Minot	minottransit@minotnd.gov	PO Box 5006	Minot	ND	58702
	Kevin	Braaten	Superintendent	Storm Sewer	City of Minot	pw@minotnd.gov	PO Box 5006	Minot	ND	58702
	Scott	Faul	Superintendent		Minot School District	scott.faul@minot.k12.nd.us	215 2nd St SE	Minot	ND	58701
	Tessa	Lagge	Auditor		City of Sawyer	cityofsawyer58781@outlook.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Wayne	Flores	Mayor		City of Sawyer	wflores0666@gmail.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Mike	Beeter	Chairperson		City of Sawyer	cityofsawyer58781@outlook.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Golden	Melland	Council Member		City of Sawyer	cityofsawyer58781@outlook.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Tom	Kempf	Council Member		City of Sawyer	cityofsawyer58781@outlook.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Susan	Schmidt	Council Member		City of Sawyer	cityofsawyer58781@outlook.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Pat	Weigel	Fire Chief		City of Sawyer		104 Dakota Ave	Sawyer	ND	58781
	Ken	Yarbrough	Superintendent	Public Works	City of Sawyer	cityofsawyer58781@outlook.com	45 Main St N PO Box 227	Sawyer	ND	58781
	Wayne	Trottier	Superintendent		Sawyer School District	wayne.trottier@k12.nd.us	25 1st Ave SW	Sawyer	ND	58781
	Jenny	Johns	Auditor		City of Velva	velvand@srt.com	101 1st St W PO Box 219	Velva	ND	58790
	Mike	Schreiner	Commissioner	Police/Fire/Finance/Revenue	City of Velva	Schreiner.velvacity@gmail.com	101 1st St W PO Box 219	Velva	ND	58790
	Mary Liz	Davis	Commissioner	Finance/Revenue and Sewage	City of Velva	davis.velvacity@gmail.com	101 1st St W PO Box 219	Velva	ND	58790
	Ben	Zietz	Commissioner	Water and Sewage	City of Velva	zietz.velvacity@gmail.com	101 1st St W PO Box 219	Velva	ND	58790

4-052(109)101 US Highway 52 Four Lane SOV LIST *PCN 24012*

CTitle	First	Last	Title	Department	Agency	Email	Address	City	State	Zip
	Gene	Jenson	Commissioner	Streets/Improvements/Cemetery/Oversight	City of Velva	ndhunter1982@gmail.com	101 1st St W PO Box 219	Velva	ND	58790
	Dave	Keller	Commissioner	Streets/Improvements/Wasteworks	City of Velva		101 1st St W PO Box 219	Velva	ND	58790
	Mike	Heisler	President	Park Board	City of Velva	velvapark@gmail.com	101 1st St W PO Box 219	Velva	ND	58790
	Kelly	Jemtrud	Superintendent	Public Works	City of Velva	velvand@srt.com	101 1st St W PO Box 219	Velva	ND	58790
	Monty	Mayer	Superintendent		Velva School District	monty.mayer@k12.nd.us	101 4th St W	Velva	ND	58790
	Charles	Schmaltz	Mayor		City of Voltaire		PO Box 156	Voltaire	ND	58792
	Darlene	Carpenter	Auditor / Superintendent of Schools		McHenry County	dcarpenter@nd.gov	407 Main Street S, Room 201	Towner	ND	58788
	Jeff	Smette	Chairman	Park Board	McHenry County	jeffrey.smette@ndsu.edu	407 Main Street S, Room 201	Towner	ND	58788
	Lorinda	Haman	Secretary	Water Resource Board	McHenry County		PO Box 284	Towner	ND	58788
	Kristine	Brodehl	Board Member Administrator	Planning/Zoning Committee	McHenry County		407 Main Street S, Room 201	Towner	ND	58788
				North McHenry County Soil Conservation District	McHenry County	northmchenryscd@gmail.com	705 Main St S STE #2	Towner	ND	58788
				South McHenry County Soil Conservation District	McHenry County		500 Central Ave E	Velva	ND	58790
	Armann	Anderson	Commission Chair / District 1 Commissioner		McHenry County		407 Main Street S, Room 201	Towner	ND	58788
	Kelsey	Siegler	Disaster Management	Emergency Management Coordinator	McHenry County	pierceem@nd.gov	407 Main Street S, Room 201	Towner	ND	58788
	Darlene	Carpenter		Road Department	McHenry County	dcarpenter@nd.gov	407 Main Street S, Room 201	Towner	ND	58788
	Trey	Skager	Sheriff		McHenry County	tcskager@nd.gov	407 Main Street S, Room 201	Towner	ND	58788
	Marisa	Haman	Auditor / Treasurer	Finance	Ward County	Auditor.Treasurer@wardnd.com	PO Box 5005	Minot	ND	58702
	Shelly	Weppler	Chairman	Park Board	Ward County		200 72nd St SE PO Box 5005	Minot	ND	58702
	Loren	Johnson	Vice Chairman	Water Resource Board	Ward County	loren.johnson@co.ward.nd.us	PO Box 5005	Minot	ND	58702
	Beth	Pietsch	Administrator	Planning/Zoning	Ward County	planning.zoning@wardnd.com	PO Box 5005	Minot	ND	58702
	Mark	Schumaker	Chairman	Soil Conservation District	Ward County	wardsoil@srt.com	1920 13th St SE	Minot	ND	58701
	John	Fjeldahl	Commission Chairman		Ward County	john.fjeldahl@wardnd.com	225 SE Third St	Minot	ND	58701
	Kelly	Haugan	Director of Emergency Management		Ward County	kelly.haugan@wardnd.com	PO Box 5005	Minot	ND	58702
	Justin	Vollmer	Road Superintendent	Highway Engineer/Supervisor	Ward County	juvollmer@wardnd.gov	200 72nd St SE PO Box 5005	Minot	ND	58702
	Jodi	Johnson	Superintendent of Schools		Ward County	jodi.johnson@wardnd.com	225 SE Third St	Minot	ND	58701
	Robert	Roed	Sheriff		Ward County		204 Front St SE	Minot	ND	58701
				Office of Economic Analysis	Federal Railroad Administration		1200 New Jersey Avenue SE	Washington	DC	20590
	Dustin	Offerdahl	Chairman		Minot City Planning Commission	dustino@gdcd.org	10 3rd Ave SW	Minot	ND	58701
	Brady	Nelson	District 4 Commissioner		McHenry County		407 Main Street S, Room 201	Towner	ND	58788
	Jim	Hystad	Chairman		McHenry County Velva Township		1920 47th St N	Velva	ND	58790
	Ryan	Hoff	Chairman		McHenry County Velva Township		PO Box 69	Velva	ND	58790
	Brian	Marsh	Chairman		McHenry County Velva Township		4700 20th Ave N	Velva	ND	58790
	John	Ulland	Chairman		McHenry County Velva Township		1530 47th St N	Velva	ND	58790
	Larry	Turner	Chairman		McHenry County Velva Township		1522 Hwy 97	Velva	ND	58790
	Gerald	Holte	Chairman		McHenry County Lebanon Township		975 42nd St N	Voltaire	ND	58792
	Kevin	Colby	Chairman		McHenry County Lebanon Township		827 46th St N	Voltaire	ND	58792
	Gaylen	Duchscherer	Chairman		McHenry County Lebanon Township		811 47th Pkwy N	Voltaire	ND	58792
	Dwight	Holmen	Chairman		McHenry County Brown Township		3746 Highway 41	Velva	ND	58790
	Tim	Kvamme	Chairman		McHenry County Voltaire Township		3681 8th Ave N	Voltaire	ND	58792
	Bruce	Degenstein	Chairman		McHenry County Voltaire Township		3681 8th Ave N	Voltaire	ND	58792
	Garth	Klein	Chairman		Ward County New Prairie Township		225 Third Street SE	Minot	ND	58701
	Todd	Hustad	Chairman		Ward County SundreTownship	cari.morey@yahoo.com	225 Third Street SE	Minot	ND	58701
	Jim	Johnson	Chairman		Ward County Sawyer Township	godi_470@yahoo.com	225 Third Street SE	Minot	ND	58701
					Archer Daniels Midland (ADM)		1388 ND-97	Velva	ND	58790
	James	Darnell	Superintendent		CF Industries	jdarnell@cfindustries.com	1304 US-52	Velva	ND	58790
Mr.	Brian	Osborne	Manager	Public Works - Southern Region	Canadian Pacific Railroad	brian_osborne@cpr.ca	120 South 6th Street, Suite 900	Minneapolis	MN	55402

Ulteig

We listen. We solve.®

April 10, 2025

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 aid in preparation of the environmental assessment.

It is requested that any comments or information be forwarded to our office on or before May 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Ulteig

We listen. We solve.

US 52 Four Lane

Ward, McHenry County

4-052(109)101, PCN 24012

NORTH Dakota | Transportation

Be Legendary.

Ulteig

We listen. We solve.®

April 10, 2025

Ms. Mary E. Podoll, State Conservationist
U.S. Department of Agriculture - NRCS
P.O. Box 1458
Bismarck, ND 58502-1458

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

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.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

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 aid in preparation of the environmental assessment.

It is requested that any comments or information be forwarded to our office on or before May 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Ulteig

We listen. We solve.®

April 10, 2025

Mr. David Glatt
Director
North Dakota Department of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 (2027)	Forecasted ADT (2047)
RP 101 to RP 116	5,178	6,650
RP 109 to RP 116	3,926	5,350
RP 116 to RP 122	2,394	3,265

We believe that these volumes are not of the magnitude that would result in 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 aid in preparation of the environmental assessment.

It is requested that any comments or information be forwarded to our office on or before May 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Ulteig

We listen. We solve.®

April 10, 2025

Department of Water Resources
C/O Project Review
North Dakota Department of Water Resources
900 E. Boulevard Avenue
Bismarck, ND 58505-0850

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 aid in preparation of the environmental assessment.

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 May 10, 2025.

If further information is desired regarding the proposed roadway improvement, please contact Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Ulteig

We listen. We solve.®

April 10, 2025

John Takala
J Clark Salyer Wetland Management District
US Fish and Wildlife Service
681 Salyer Road
Upham, ND 58789
John_takala@fws.gov

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 May 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Ulteig

We listen. We solve.®

April 10, 2025

Kyle Flanery
Northwest ND Wetland Management District
US Fish and Wildlife Service
681 Salyer Road
Upham, ND 58789
Kyle_flanery@fws.gov

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 April 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Ulteig

We listen. We solve.®

April 10, 2025

Advocacy Group Contact

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 Summer 2025.

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 May 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

Van Dorsten, Manda M.

From: North Dakota Department of Transportation <nddot@info.nd.gov>
Sent: Tuesday, March 17, 2026 12:05 PM
To: Van Dorsten, Manda M.; Schmidt, Joyce A.; -Adm-DOT Info; rjbuchholz@nd.gov
Subject: Courtesy Copy: US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE WARD & McHENRY COUNTIES

This is a courtesy copy of an email bulletin sent by Manda Van Dorsten.

This bulletin was sent to the following groups of people:

Subscribers of Advocacy Group - 4 (Minot District) (8 recipients)

NORTH Dakota | Transportation
Be Legendary.

April 10, 2025

Advocacy Group Contact

PROJECT NO. 4-052(109)101, PCN 24012
US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE WARD & McHENRY COUNTIES

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration, is preparing an environmental assessment to study the expansion of US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. Please refer to the enclosed Project Location Map.

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, with two primary alternatives under consideration; divided four-lane highway with a depressed center median and divided four-lane highway with a flush paved center median.

An anticipated construction date has not been identified; however, the 2027 construction season would be the earliest possible start date.

If the project is constructed, it will require permanent and/or temporary right-of-way. The right-of-way required will be in linear strips parallel to the project area.

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 Summer 2025.

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 May 10, 2025. 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 Mike Huffington at (701) 280-8655 or mike.huffington@ulteig.com.

MIKE HUFFINGTON

mh/ml

Enclosure

- 20250327 11x17 Notification Map.pdf
- Letter 8 - Advocacy Group_PCN24012.doc

SUBSCRIBER SERVICES:
Manage Subscriptions | Unsubscribe All | Help

Van Dorsten, Manda M.

From: North Dakota Department of Transportation <nddot@info.nd.gov>
Sent: Tuesday, March 17, 2026 4:05 PM
To: Van Dorsten, Manda M.
Subject: Bulletin Detail Report: US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE WARD & McHENRY COUNTIES

Having trouble viewing this email? View this report in your account.

GOVDELIVERY

Report Generated: 03/17/2026 04:05 PM CDT

This report automatically generates after a bulletin is sent. View the Bulletin Detail Report online to see the most recent performance metrics for this bulletin.

Subject: US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE WARD & McHENRY COUNTIES

Sent: 03/17/2026 12:05 PM CDT

Sent By: mvandorsten@nd.gov

Sent To: Subscribers of Advocacy Group - 4 (Minot District)

8 Recipients

✓ Email
X SMS
X Facebook
X Twitter
✓ RSS

100.0% Delivered

0% Pending
0% Bounced
25% Open Rate
0% Click Rate

Email Delivery Stats

Minutes	Cumulative Attempted
3	100%
5	100%
10	100%
30	100%
60	100%
120	100%

Delivery Metrics - Details

8	Total Sent
8 (100%)	Delivered
0 (0%)	Pending
0 (0%)	Bounced
0 (0%)	Unsubscribed

Bulletin Analytics

3	Total Opens
2 (25%)	Unique Opens
0	Total Clicks
0 (0%)	Unique Clicks
14	# of Links

Delivery and Performance

Channel	Progress	Percent Delivered	Number of Recipients	Number Delivered	Opened / Unique	Bounced / Failed	Unsubscribed
Email Bulletin	Delivered	100.0%	8	8	2 / 25.0%	0	0
SMS Message	Delivered	0.0%	0	0	n/a	0	n/a

Bulletin Link Overview

Link URL	Unique Clicks	Total Clicks
https://content.govdelivery.com/attachments/NDDOT/2026/03/17/file_attach...	0	0
https://www.facebook.com/nddot	0	0
https://www.linkedin.com/company/north-dakota-department-of-transportati...	0	0
https://subscriberhelp.granicus.com/	0	0
https://content.govdelivery.com/attachments/NDDOT/2026/03/17/file_attach...	0	0
https://twitter.com/NorthDakotaDOT	0	0
https://public.govdelivery.com/accounts/NDDOT/subscriber/one_click_unsub...	0	0
https://subscriberhelp.govdelivery.com/	0	0
https://www.instagram.com/northdakotadot/	0	0
https://forms.nd.gov/231086560478865	0	0
https://www.youtube.com/user/NDDOTOnline	0	0
http://public.govdelivery.com/accounts/NDDOT/subscribers/new	0	0
https://public.govdelivery.com/accounts/NDDOT/subscriber/edit?preference...	0	0
https://www.dot.nd.gov/	0	0

Need more reports? Additional reporting is available in your account. If you want additional information on reporting, please visit the reporting help menu.

Want to learn more about these metrics and the best practices for improving results? Contact your dedicated Client Success Consultant! Not sure who that is? Send us an email at support@granicus.com and we'll help you find out.

STAY CONNECTED:

This email was sent by GovDelivery Communications Cloud · 707 17th Street, Suite 4000 · Denver, Colorado 80202

3/18/2026 9:41	Account =	Bulletin = US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST O				
Destination Address	Delivery St	Failure Me	Total Oper	Total Click	Click Summary	
andubovoy@nd.gov	Delivered		1	0		
beeter08@yahoo.com	Delivered		1	0		
bhopewell@nd.gov	Delivered		1	0		
dofmogard@nd.gov	Delivered		4	13	http://publi	https://cont https://cont https://form
independencecil@independencecil.org	Delivered		1	0		
shannonbinstock@ndsupernet.com	Delivered		0	0		
smhorning@nd.gov	Delivered		2	0		
youth@pathfinder-nd.org	Delivered		0	0		

United States Department of Agriculture

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

April 18, 2025

Mike Huffington
Ulteig
3350 38th Ave S
Fargo, ND 58104

Dear Mr. Huffington:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated April 10, 2025, concerning 4-052(109)101, PCN 24012, US52 Four Lane from Approximately 2.3 miles west of Junction 79th Ave SE to Voltaire in Ward and McHenry Counties, North Dakota.

FPPA

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Extensive prime farmland occurs along the corridor of this proposed project.

This project may fall 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*. **This exemption applies to permanent removal of important farmlands from production, not temporary disturbance.** If your project falls within General Manual guidance Subpart A, 403.4(b)(4), it is exempt from FPPA with no further action required. If the project does not meet the acreage limitations of the General Manual, the Form CPA-106.pdf (usda.gov) will need to be completed. We will also need a list of important farmland acres by soil survey map unit which are outside the current road right-of-way and will be permanently removed from farmland production. This list will ensure an accurate assessment of the relative value for the corridor. The Farmland Conversion Impact Rating calculates relative values using exact project acreage. Web Soil Survey can be used to determine soil map unit acreages:
https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

If the exemption above does not apply, please keep in mind that NRCS is continuing to monitor Farmland Conversion Impact Ratings (form AD-1006, form NRCS-CPA-106) and are concerned with how some of the forms are being completed, particularly Site Assessment Criteria, which is being scored below 60 points. As a rule, if FPPA applies and the site is in agricultural production (i.e., crop or livestock production), rarely would it be appropriate for it to have a score of less than 60 points.

USDA is an equal opportunity provider, employer, and lender.

Wetlands

The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose, 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. 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.

Potentially impacted USDA participants that wish to request a certified wetland determination can be directed to the USDA Farm Service Agency (FSA) to request a Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification (AD-1026) or they may contact Darrick Ystaas, Designated Conservationist, NRCS, Minot, North Dakota at (701) 852-5434 for information about conservation compliance provisions related to the project.

If you have additional questions pertaining to FPPA, please contact Lance Duey, Assistant State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2109.

Sincerely,

SUSAN SAMSON LIEBIG

Digitally signed by SUSAN SAMSON LIEBIG
Date: 2025.04.18 09:23:57 -05'00'

SUSAN SAMSON-LIEBIG
Acting State Soil Scientist

Ulteig

We listen. We solve.®

April 15, 2025

CTI Towers Assets II LCC
3300 PARAMOUNT PARKWAY SUITE 110
Morrisville, NC 27560

PROJECT NO. 4-052(109)101, PCN 24012
US 52 - 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE
WARD & McHENRY COUNTIES

The North Dakota Department of Transportation (NDDOT) is currently studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire. The total length of the study area under consideration is approximately 22 miles. ***Please refer to the enclosed Project Location Map.***

As part of this process, NDDOT staff, or agents working on their behalf, may need to access portions of your property to conduct preliminary surveys and collect field data. Data collection activities may include preliminary topographic survey, aquatic resource delineation, cultural resource survey, and noise measurements. These surveys will generally consist of the following:

- *Preliminary Topographic Survey* – A survey crew will measure the location and elevation of various features including section corners, property corners, highway profile, alignment and right-of-way markers, fences, utilities, culverts, bridges, and signs.

- *Aquatic Resource Delineation* – An environmental scientist and soil scientist will be working in the area and mapping the limits of aquatic resources. This will include creating small hand-dug test holes with a tile spade and/or soil probe and walking boundaries of wetlands to collect GPS data.

- *Cultural Resource Survey* – Archaeologists will be working in the area and identifying previously recorded cultural resource sites or identifying previously unidentified sites. This work may include shovel/auger probes to fully identify previously unrecorded cultural resources.

- *Noise Measurements* – A noise analyst will collect background noise measurements using a sound level meter at select locations, including noise sensitive areas (e.g., residences). Each location will be evaluated for approximately 20 to 60 minutes and may be evaluated multiple times.

Ulteig

We listen. We solve.®

Field survey work for 2025 is anticipated to begin in late April.

In accordance with North Dakota Century Code, the NDDOT and its representatives are legally authorized to enter private property to perform surveys and investigations necessary for public use projects; however, we recognize and respect the importance of private property rights, and we are committed to carrying out all field activities with care and minimal disruption. Additionally, we understand there are times when survey activity on your property may not be ideal. NDDOT is committed to working respectfully with landowners, and we will make every reasonable effort to coordinate our activities in a way that minimizes disruption.

Should you have a tenant on the land either by written or verbal lease agreement, please notify those individuals of the survey work being conducted in the area.

If you have any questions or concerns, please contact the project manager Mike Huffington at 701-280-8655 or mike.huffington@ulteig.com.

TTY users may use Relay North Dakota at 711 or 1-800-366-6888. Language interpretive services are also available.

MIKE HUFFINGTON

mh/no

Enclosure

Ulteig
We listen. We solve.

US 52 Four Lane

Ward, McHenry County

4-052(109)101, PCN 24012

NORTH Dakota | Transportation
Be Legendary.

From: Haase, Marissa A <marissa_haase@fws.gov>
Sent: Wednesday, April 23, 2025 10:00 AM
To: Mike Huffington
Subject: project 4-052 Four Lane Ward & McHenry Counties

External Sender Warning: Proceed with Caution!

Hey Mike-
I just wanted to touch base about his project that is just starting to get underway. I am new to this whole process and I am going to be learning as this goes. What I do know is that we do have some US Fish and Wildlife easements along the end of that route that fall within the ½ mile project. Are you guys planning to purchase the right a ways? In the past I know we have typically done some exchanges for the right of ways. I was curious if you had a shape file of the proposed plan that we could lay on our easement stuff to see just what will be affected our side? Any questions let me know. Thanks

Marissa Haase, Ast. Refuge Manager
Lostwood National Wildlife Refuge
Northwest North Dakota Complex

Mobile- 701-641-2564
Office- 701-848-2722 x: 24

Outlook

Project no. 4-052(109)101, PCN 24012

From MUNOS, CY I CIV USAF AFGSC 91 MMXS/MMXSFK <cy.munos@us.af.mil>
Date Wed 4/30/2025 1:23 PM
To Mike Huffington <mike.huffington@ulteig.com>

External Sender Warning: Proceed with Caution!

Mike,

The Minot AFB has 2 cables that cross HWY 52 within the project area.
NE qtr of sec 21 TWP 153 Rng 80 (1.75 miles west of Velva)
NE qtr of sec 2 TWP 152 Rng 80 (1.5 miles west of Voltaire)
Please keep me in the loop of possible cuts taken in these areas.

Thnaks

//SIGNED//
Cy Munos, CIV, USAF
Cable Affairs Officer, 91 MMXS/MMXSFK
Minot AFB ND
Comm: 701-723-6053
DSN: 453-6053
Work Cell: 701-720-8274

April 30, 2025

Mike Huffington
Project Manager
Ulteig
3350 38th Avenue South
Fargo, ND 58104

Re: Project Code: 24012, US 52 Four-Lane PCN24012 in McHenry and Ward Counties

Dear Mr. Huffington:

The North Dakota Department of Environmental Quality (Department) has reviewed the information concerning the above-referenced project received at the Department on April 15, 2025, with respect to possible environmental impacts.

1. Necessary measures should be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise should be dealt with in an efficient and effective manner.

2. Aggregate to be used for road construction should not contain any erionite. Aggregate sources should be tested for erionite following guidelines found at https://deq.nd.gov/erionite. For questions regarding erionite testing, please contact the Asbestos Program at 701-328-5166 or asbestos@nd.gov.

3. 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.

4. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210. Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed. Stormwater runoff from the project area discharges to a 303(d) listed water body (Souris River [Assessment Unit ND-

09010003-001-S_00]) identified as impaired by sediment/siltation. Extra care should be taken to ensure construction activity does not affect the water body.

5. The construction project overlies the Voltair, Karlsruhe, Souris River, and Sundre aquifers and is within the city of Logan's sourcewater protection area. 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.

6. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the Department's Division of Waste Management at 701-328-5166.

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

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

Sincerely,

Karl Rockeman, P.E., Deputy Director
North Dakota Department of Environmental Quality

KR:ll
Attach.

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality (Department) for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the Department's pesticide application permit with notification to the Department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds, including, but not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 5TH MISSION SUPPORT GROUP (AFGSC)
MINOT AIR FORCE BASE NORTH DAKOTA

May 1, 2025

Mr. Gary Lonning
Chief of Missile Engineering
5th Civil Engineer Squadron
445 Peacekeeper Place
Minot AFB ND 58705-5006

Mr. Mike Huffington
Ulteig Engineering Inc.
419 Riverwood Dr.
Suite 201
Bismarck, ND 58504

Dear Mr. Huffington,

Reference to your recent correspondence regarding the environment assessment to study the expansion of US Highway 52.

Thank you for the opportunity to provide input on this project. The proposed work will have an impact on roads used by the 91st Missile Wing to perform its mission. Because of this, we do have some concerns we would like to discuss with you.

The roadway improvement on US Highway 52, located approximately 2.3 miles west of Junction 79th Ave SE to Voltaire, is on a mission essential route that is used by the 91stMissile Wing for operations that include a large number of security forces and maintenance vehicles. Frequent and open two-way communication between the US Air Force, the contractor,and your office will help to reduce any work disruptions.

Please keep us notified of upcoming meetings or information sessions so that we can remain a proactive member of this project.

If you would like to discuss these issues further, or any others, please contact Ms. Michelle Beavers at 701-723-3998. We here at Minot AFB understand the challenges that come with large-scale construction, and we will work with your office to address any concerns that arise during and after project completion.

Sincerely,

LONNING.GARY.G.1220600730 Digitally signed by LONNING.GARY.G.1220600730 Date: 2025.05.01 06:47:22 -05'00'

GARY G. LONNING, GS-13
Chief, Missile Engineering

NORTH Dakota | Game and Fish
Be Legendary.

May 2, 2025

Mike Huffington
Ulteig
3350 38th Avenue South
Fargo, ND 58104

RE: Project No. 4-052(109)101, PCN 24012

This project is studying the expansion of US Highway 52 from a two-lane to a four-lane highway located west of Junction 79th Ave SE to Voltaire in Ward & McHenry Counties, North Dakota. The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

The National Wetland Inventory indicates a variety of wetlands within the proposed project corridor. We recommend that any unavoidable destruction or degradation 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,

Bruce Kreft
Chief
Conservation & Communications Division

Governor Kelly Armstrong | Director Jeb Williams | Deputy Director Scott A. Peterson

100 North Bismarck Expressway | Bismarck ND, 58501-5095 | 701-328-6300 | Fax: 701-328-6352

mayor@minotnd.gov
www.minotnd.gov

City of Minot

May 14, 2025

Mike Huffington

Ulteig

Via Email

RE: Comment for project 4-052(109)101, PCN 24012

Mike:

The City of Minot fully supports the development of a 4-lane concept for U.S. Highway 52, southeast of Minot.

This stretch of highway runs through challenging, hilly terrain and has long been a source of concern for our residents. Over the years, many have called for a safer, expanded roadway. Unfortunately, several fatal accidents and numerous close calls have reinforced the urgent need for improvements. A well-designed 4-lane highway would significantly reduce these risks and provide peace of mind for travelers.

While two concepts have been identified through preliminary study, the City favors a divided highway option wherever feasible. This design offers the greatest potential for improving safety and long-term traffic flow.

As a regional hub for commerce and industry in north-central North Dakota, Minot's economic activity continues to grow. The expansion of our intermodal center, ongoing oil development, and the strength of our agricultural sector are all contributing to increased truck traffic in the region. A 4-lane highway will be essential in supporting this growth and ensuring efficient, safe transportation for years to come.

Thank you for the opportunity to share our perspective on this important project. If you have any questions or need technical details, please contact our City Engineer, Lance Meyer, at lance.meyer@minotnd.gov.

701.857.4750
P.O. Box 5006
Minot, ND 58702

Sincerely,

Mark Jantzer
Acting Mayor

May 6th, 2025

Ulteig
c/o Mike Huffington
3350 38th Ave South
Fargo, ND 58104

To Whom it May Concern,

The Ward County Commission received your letter regarding the following project:

PROJECT NO. 4-052(109)101, PCN 24012 US 52 FOUR LANE FROM APPROXIMATELY 2.3 MILES WEST OF JUNCTION OF 79TH AVE SE TO VOLTAIRE WARD & McHENRY COUNTIES

The Commission would like to express their full support for this project and recommend the option of a divided four-lane highway with a depressed center median.

Sincerely,

John Fjeldahl

John Fjeldahl
Chairman
On behalf of the Board of Ward County Commissioners

WCC/mmh

NORTH Dakota | Parks & Recreation
Be Legendary.™

May 9, 2025

Mike Huffington
Ulteig
3350 38th Ave. South
Fargo, ND 58104

Re: EA Expansion of US Highway 52 – Ward and McHenry Counties

Dear Mike,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced proposed environmental assessment to study the expansion of US Highway 52, located in Ward and McHenry Counties, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.

The project may affect properties protected under Section 6(f) of the LWCF.

Several LWCF projects has been identified near the proposed project's vicinity. Attached is a map identifying the approximate locations. Properties that have received funding from the LWCF program have a designated 6(f) property boundary that carries restrictions on modifications to the property, including but not limited to utilities or any divesture of land. For additional information regarding LWCF properties, don't hesitate to contact Char Langehaug, ND Parks and Recreations Department's Grants Coordinator, at clangehaug@nd.gov or 701-328- 5364.

A North Dakota Natural Heritage biological conservation database query determines whether any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, several natural heritage element occurrences have been documented within or immediately adjacent to the project site. Attached is a map identifying the approximate locations.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, contact Natural Resources Division Chief Kathy Duttenhefner at 701-328-5370, 701-220-3377 (cell), or kgduttenhefner@nd.gov. Thank you for the opportunity to comment on the proposed project.

Sincerely,

Kathy Duttenhefner

Kathy Duttenhefner, Chief Natural Resources Division

604 E Boulevard Ave Dept. 750 | Bismarck, ND 58505

PHONE: 701-328-5357 | FAX: 701-328-5363 | EMAIL: parkrec@nd.gov | WEBSITE: www.parkrec.nd.gov

Land and Water Conservation Fund Projects

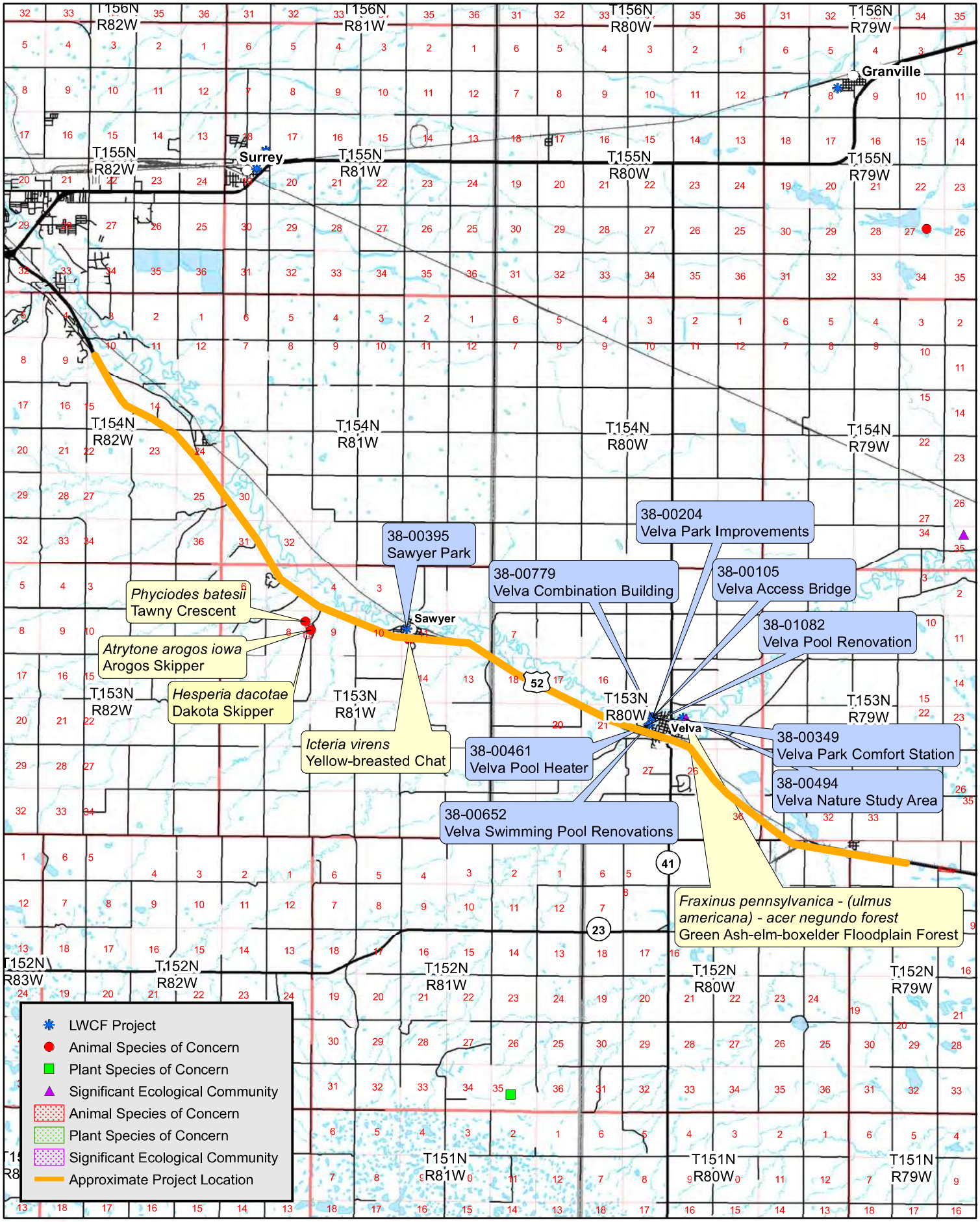
Project Name	Project Number
Sawyer Park	38-00395
Velva Access Bridge	38-00105
Velva Combination Building	38-00779
Velva Nature Study Area	38-00494
Velva Park Comfort Station	38-00349
Velva Park Improvements	38-00204
Velva Pool Heater	38-00461
Velva Pool Renovation	38-01082
Velva Swimming Pool Renovations	38-00652

North Dakota Natural Heritage Inventory

Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Atrytone arogos iowa	Arogos Skipper	SNR	G3T3		153N081W - 08; 153N081W - 09	Ward	1991-06-27		S
Fraxinus pennsylvanica - (ulmus americana) - acer negundo forest	Green Ash-elm-boxelder Floodplain Forest	S1S2	GNR		153N080W - 23	McHenry	1984-06-14		S
Hesperia dacotae	Dakota Skipper	S2	G2	LT	153N081W - 08; 153N081W - 09	Ward	1991-06-22	Medium	S
Icteria virens	Yellow-breasted Chat	SU	G5		153N081W - 11; 153N081W - 10; 153N081W - 01; 153N081W - 12; 153N081W - 09; 153N081W - 02; 153N081W - 03; 153N081W - 14; 153N081W - 15; 153N081W - 13; 153N081W - 16	Ward	1981-07-31		M
Phyciodes batesii	Tawny Crescent	S3	G4		153N081W - 08	Ward	1991-06-27		S

North Dakota Parks and Recreation Department
North Dakota Natural Heritage Inventory



May 2025

From: David Ashley <dashley@mouseriverplan.com>
Sent: Friday, May 9, 2025 12:28 PM
To: Mike Huffington
Cc: Ryan Ackerman (ryan.ackerman@ackerman-estvold.com)
Subject: Re: 4-052(109)101,pcn24012

External Sender Warning: Proceed with Caution!

My apologies my identifiers did not come through as I'm using a new format.

David Ashley, Chairman
Souris Joint Board and McHenry County WRD
701-626-1566

From: David Ashley
Sent: Friday, May 9, 2025 12:24 PM
To: mike.huffington@ulteig.com
Cc: Ryan Ackerman (ryan.ackerman@ackerman-estvold.com)
Subject: 4-052(109)101,pcn24012

Mr.Huffington,

Regarding the highway 52 project there are at least two areas we need to work with you on. First, we have to make sure that flood protection structures are not negatively impacted, especially the levee at Velva. Second, we should work in concert with any design as it applies to the ongoing Mouse River Flood Protection Project.
Thank you for any considerations.

REGION 8
DENVER, CO 80202

May 9, 2025

Ref: 8EJC-NE

Mike Huffington
Ulteig Engineering
3350 38th Ave S.
Fargo, North Dakota 581040

RE: Project Number 4-052(109)101, **PCN 24012**, US 52 Four Lane from Junction 79th Ave SE to Voltaire

Dear Mike Huffington:

The U.S. Environmental Protection Agency Region 8 NEPA staff reviewed the April 10, 2025, notice of scoping addressed to EPA and viewed the October 22, 2024, public meeting recording for the North Dakota Department of Transportation (NDDOT's) and Federal Highway Administration (FWHA) proposed four lane expansion of US 52, located approximately 2.3 miles west of junction 79th Ave SE to the town of Voltaire, North Dakota (Project). Per your request and in accordance with our responsibilities under Section 102(2)(c) of the National Environmental Policy Act (NEPA), the EPA is providing scoping comments for your consideration.

The EPA's detailed comments are enclosed. Our comments focus the following topics that we recommend NDDOT consider in its NEPA document for the proposed Project: (1) NEPA policy including "purpose and need" and "alternatives"; (2) Clean Water Act Section 404 permitting considerations; (3) aquatic resource impacts and considerations; and (4) air quality impacts and considerations.

The EPA appreciates the opportunity to provide comments at this stage of the NEPA process. If further explanation of our comments is desired, please contact me at (303) 312-6155 or mccoy.melissa@epa.gov, or Laura Margason, lead reviewer, at (303) 312-6665 or margason.laura@epa.gov.

Sincerely,

MELISSA MCCOY

Digitally signed by MELISSA MCCOY
Date: 2025.05.09 14:24:01 -06'00'

Melissa W. McCoy, Ph.D., J.D.
NEPA Branch Manager

ENCLOSURE
1. EPA Region 8 Detailed Scoping Comments for the US 52 Project

cc: Melissa Carson,
Environmental Program Manager, Federal Highway Administration, North Dakota Division

EPA Region 8 Detailed Scoping Comments for the US 52 Project

NEPA and Clean Water Act Considerations

Purpose and Need

Based on our review of the available information, it is unclear if NDDOT conducted a planning process to determine the need for this specific Project prior to initiating the NEPA process. The purpose and need statement is one of the most important elements of the project proposal because it provides the framework for the range of alternatives to be analyzed. Therefore, it is important to consider purpose and need in the earliest stages of project development to comply with both the National Environmental Policy Act (NEPA) and the Clean Water Act (CWA) and provide an efficient planning process.

The need for a proposed project is typically the underlying problem to be solved (such as a poor Level of Service [LOS]), and the purpose of the proposed project is typically the objective, or set of objectives, to be met to address the need. We recommend that the NEPA document outline NDDOT's planning process, and any studies conducted for the Project that support the underlying purpose and need for the proposed action. We recommend the purpose and need statement be broad enough to encompass an appropriate range of both "reasonable" (per NEPA) and "practicable" (per CWA Section 404, see below) alternatives. It should be a clear, objective statement of the rationale for the proposed Project, as it provides the basis for identifying alternatives. We recommend that it also describe the short- and long-term transportation needs as well as the reasoning behind, and the information that supports, those needs.

Clean Water Act Section 404 Requirements for Purpose and Need

Discharge of dredged or fill material into waters of the United States, including wetlands, is regulated under CWA Section 404. This permit program is administered jointly by the U.S. Army Corps of Engineers (Corps) and the EPA. Please consult with the Corps to determine the applicability of CWA Section 404 permit requirements to wetlands that would be impacted by the Project activities and to ensure all practicable avoidance and minimization of waters of the U.S., including wetlands.

As under NEPA, need and purpose are interdependent terms which frame the alternatives analysis for compliance with the requirements of Section 404 of the CWA and 40 C.F.R. Part 230. The Project's purpose, or objective, should be framed in relation to addressing a need, with the need being the underlying problem or opportunity that the applicant is proposing to meet with the project. An appropriate purpose and need statement allows for an analysis of a range of alternatives with the goal of identifying the least environmentally damaging practicable alternative (LEDPA) consistent with the CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230). Therefore, the basic project purpose should not be defined in a manner that unduly restricts or precludes other alternatives, nor should it be so broad that a reasonable analysis of alternatives cannot be accomplished (40 C.F.R. § 230.10). The EPA recommends coordinating with the U.S. Army Corps of Engineers (Corps) when developing a purpose and need statement. When evaluating a permit application, the CWA regulations require the Corps to develop its own project purpose statement that considers the applicant's as well as the public's perspective. If the Corps cannot concur with what the applicant has submitted, the Corps is required to

modify it.[1] The use of a project purpose to determine the scope of studies that does not meet the Corps' requirements has the potential to result in the need to prepare additional NEPA documentation to meet CWA Section 404 requirements.

Range of Alternatives

We recommend that the NEPA document summarize the regulatory requirements and processes utilized to develop the reasonable and practicable alternatives for purposes of NEPA and CWA Section 404. "Reasonable" under NEPA is based on consideration of the project purpose as well as technology, economics, and common sense, rather than what is simply desirable from the standpoint of the applicant. For purposes of CWA Section 404, it is important that the NEPA document include a range of alternatives with the goal of avoiding and minimizing impacts to waters of the U.S. while meeting the purpose and need for the action. Under CWA Section 404(b)(1) Guidelines, the Corps can only issue a CWA Section 404 permit for a discharge of dredged or fill material into waters of the U.S. if it can be demonstrated that the proposed project is the LEDPA with regard to aquatic resource impacts, provided that the LEDPA does not have other significant adverse environmental consequences. Therefore, EPA recommends that NDDOT include all alternatives that have the potential to be the LEDPA within the reasonable range of alternatives evaluated in in the NEPA document. In doing so, NDDOT would ensure that other criteria and measures (e.g., impacts to non-aquatic natural resources and the built environment) would not be used to eliminate potential alternatives that are practicable under the 404(b)(1) Guidelines' criteria and may have less damaging impacts to wetlands and other waters of the U.S.

Under the CWA, "practicable" is defined as meaning the alternative is available, and capable of being done after taking into consideration cost, existing technology, and/or logistics in light of the overall project purpose(s) (40 C.F.R. § 230.3(l)). For an alternative to be practicable, it must only be reasonably available or obtainable and may include options beyond the authority of the Corps and the lead agency. Pursuant to the Section 404 requirements, the burden to clearly demonstrate that an alternative is not practicable rests on the applicant. If an alternative is a standard industry norm, then it is likely practicable unless clearly demonstrated otherwise (40 C.F.R. § 230.10). It is also important to note that under the Guidelines, cost is not primarily considered according to what the applicant can afford (its financial standing) or based on whether the cost of one alternative is more or less than other alternatives. Rather, practicability in terms of cost is based on whether the cost of an alternative is within the range of costs for similar projects or industry norms.[2] We recommend documenting the rationale for retaining or eliminating each of the considered alternatives or alternative combinations. The rationale should be consistent with the requirements of the CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230) and described in additional detail in the preamble to the Guidelines at 45 Fed. Reg. 85336 (Dec. 24, 1980). Meeting the requirements of the 404(b)(1) Guidelines would help ensure a robust analysis and NEPA document that would directly support the Corps' decision-making should an individual permit under CWA Section 404 be sought for the Project.

[1] *See* ACOE "Preparing An Alternatives Analysis Under Section 404 of the CWA", pg 2-3, https://www.swf.usace.army.mil/Portals/47/docs/regulatory/Handouts/Preparing_An_Alternatives_%20Analysis.FINAL.pdf

[2] *See* section 3.b. of the following EPA/Corp memo on the Appropriate Level of Analysis Required for Evaluating Compliance with the CWA Section 404(b)(1) Guidelines Alternatives Requirements: https://www.epa.gov/cwa-404/memorandum-appropriate-level-analysis-required-evaluating-compliance-cwa-section-404b1.

Clean Water Act Section 404/401 Permit Coordination

As mentioned above, discharge of dredged or fill material into waters of the U.S., including wetlands, is regulated under CWA Section 404. The EPA notes that in the public meeting recording on October 22, 2024, the presenter discussed that the Project would likely need an individual 404 permit. This permit program is administered jointly by the USACE and EPA. We recommend that the NDDOT consult with the USACE Omaha District during the NEPA process conduct a jurisdictional determination and to make a final determination as to the applicability of CWA Section 404 permit requirements to delineated wetlands that could be impacted by road expansion in the Project area. EPA encourages this coordination as early as possible in the development of the draft NEPA document so that the impacts analysis can be informed by permitting considerations and the NEPA document can provide sufficient, timely information to support decisions in compliance with EPA's CWA Section 404(b)(1) Guidelines, thereby supporting the timely permitting and construction of the proposed Project.

Aquatic Resources

Existing Conditions

The EPA recommends that the NEPA Document include a discussion of existing aquatic resource conditions in the project area, to provide the basis for an effective analysis of potentially significant impacts from the proposed Project to hydrology, water quality, habitat, and other water resources in the project area. To describe effects to aquatic resources in the project area, we recommend the NEPA document include the following analyses or descriptions:

- One or more maps and a summary of project area waters and downstream waters, including streams, lakes, springs, and wetlands. It would be helpful if the summary identified high resource value water bodies and their designated beneficial uses (e.g., agriculture, fisheries, drinking water, recreation);
- Watershed conditions, including vegetation cover and composition, soil conditions, and areas not meeting desired future conditions;
- Surface water information, including available water quality data in relation to current North Dakota Water Quality Standards, stream functional assessments, stream channel/stream bank stability conditions, sediment loads, and aquatic life;
- Types, functions, conditions, and acreages of wetlands, riparian areas, and springs;
- Available groundwater information; and
- A map and list of Clean Water Act (CWA) impaired or threatened water body segments within, or downstream of, the planning area, including the designated uses of the water bodies and the specific pollutants of concern potentially affected by on-going activities within or adjacent to the defined Project analysis area.

Water Quality Data

Water quality data for the streams and lakes of the project area provide important information for evaluating the potential influence of the Project on adjacent and downstream water quality. Such an evaluation can then guide management for the Project, with the data providing a baseline for future monitoring of impacts. We recommend the NEPA document provide a summary of available information and monitoring data on water quality within the project area and for downstream waters that may be affected by the proposed Project, including parameters such as total phosphorus, total nitrogen, Escherichia coli (E. coli), fecal coliform, total suspended solids, turbidity, total dissolved

solids, and temperature. It will also be important to include water quality data for parameters listed for impaired water bodies within or downstream of the Project area. Identifying any significant gaps in available data may be helpful in developing a monitoring plan. At a minimum, EPA recommends providing a reference to a publicly accessible technical document or an appendix that contains the requested relevant water quality parameters, and summarizing findings and trends within the NEPA document.

Potential Impacts to Wetlands

The National Wetland Inventory identifies palustrine wetlands, including riverine and emergent freshwater wetland habitats, in and around the Project area. Based on the public meeting recording, it is estimated that the Project may impact up to 15 acres of wetland resources along the proposed Project highway corridor. Wetlands and riparian areas increase landscape and species diversity, support many species of wildlife and are critical to the protection of water quality and designated beneficial uses of waterbodies. The EPA recommends the draft NEPA document analyze and describe all reasonably foreseeable impacts, both temporary and permanent, that may result from the Project. The context for this analysis should include all past, ongoing, and reasonably foreseeable actions having effects of a nature that overlap with the effects of the Project. Such impacts may be due to loss of hydrology from water diversions/transfers; functional conversion of wetlands (e.g., forested to shrub-scrub); changes to supporting wetland hydrology even if these wetlands are outside of the construction footprint (e.g., snow melt patterns, sheet flow, and groundwater hydrology); and wetland disturbance or loss.

The EPA recommends including the following baseline information in the NEPA document for the assessment of existing conditions and environmental consequences of the proposed Project as they relate to wetlands:

- Include a classification of waters and the geographic extent of waters and any adjacent wetland areas in the Project area;
- Characterize the functional condition of waters and any adjacent wetland areas.
- Identify all protected resources with special designations and waters within state, local, and federal protected lands. Additional steps should be taken to avoid and minimize impacts to these areas;
- Include wildlife species that could reasonably be expected to use waters or associated wetland habitat and sensitive plant taxa that are associated with waters or associated wetland habitat.
- Characterize the hydrologic linkage of the Project area wetlands to any other water bodies and identify any Clean Water Act 303(d) listed impaired water bodies that exist in the Project area;
- Analyze potential direct and indirect, or secondary, impacts, to all wetlands (both jurisdictional and non-jurisdictional) within the geographic scope of potential impacts, including impacts to wetlands from changes in hydrology even if these wetlands are spatially removed from the construction footprint; and
- Identify how each of the following impacts will be avoided or minimized by each alternative, including:
    - Changes in hydrology and sediment transport capacity;
    - Increases in impervious surfaces and the corresponding increases in the volume and velocity of polluted stormwater;

- Decreases in water and aquatic habitat quality from the impairment of floodplain and ecosystem functions including water filtration, groundwater recharge, and flood attenuation; and
- Disruption of hydrological and ecological connectivity; and decreases in biodiversity and ecosystem stability.

We note that the official North Dakota State Transportation website goes into detail about utilizing "wetland mitigation Banks for unavoidable impacts to jurisdictional wetlands."[3] While this is appropriate mitigation when impacts are deemed unavoidable, EO 11990[4] directs agencies "to the extent permitted by law, shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds 1) that there is no practicable alternative to such construction, and 2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use." Therefore, we recommend evaluating potential alternatives that avoid impacts to all wetlands, not only jurisdictional wetlands. Should avoidance through use of alternative design features not be possible, the EPA recommends the NEPA document further disclose the steps used to address the mitigation sequence for this Project. Disclosure of this process is also important to demonstrate compliance with the CWA Section 404(b)(1) Guidelines if a CWA Section 404 permit will be sought.

If impacts cannot be avoided, we recommend the NEPA document describe how the NDDOT intends "to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands," as described in Executive Order 11990. Consistent with CWA Section 404(b)(1) Guidelines (see 40 CFR 230.10(d)),[5] we recommend the NEPA document identify and evaluate specific methods to protect impacted wetlands, including a clear list of mitigation requirements and BMPs applicable to construction, operation, and reclamation activities to minimize adverse impacts to these aquatic resources. This list of measures can include, as appropriate, mitigation actions such as: the use of stormwater control measures, marking of perennial seeps, springs and wetlands on maps and on the ground before commencing construction to facilitate their protection, and enhanced monitoring of resource conditions for high value water and riparian resources. To ensure that wetlands are protected to the greatest extent possible, it may be necessary to consider protective design elements where wetlands or riparian area would be adversely impacted.

Potential Impacts to Impaired Waterbodies

Based upon the most recent EPA-approved CWA Section 303(d) list for North Dakota (2022)[6] there are impaired streams (e.g., Souris River) located near the proposed project area. These resources are important to evaluate as the proposed activities may further impact systems or portions of systems downstream. We recommend the NDDOT: (1) analyze potential impacts to impaired waterbodies within and/or downstream of the project area, and (2) coordinate with the North Dakota Department of Environmental Quality (NDDEQ) if there are identified potential impacts and exceedances of water quality standards as such impacts are prohibited and would be considered a "significant" impact under NEPA.

[3] https://www.dot.nd.gov/construction-and-planning/construction-planning/environmental/wetlands

[4] A copy of Executive Order 11990, "Protection of Wetlands"(April 12, 1977) can be accessed at: https://www.archives.gov/federal-register/codification/executive-order/11990.html

[5] https://www.ecfr.gov/current/title-40/chapter-I/subchapter-H/part-230

[6] https://deq.nd.gov/publications/WQ/3_WM/TMDL/1_IntegratedReports/2020_2022_Final_ND_Integrated_Report_20230824.pdf

Floodplain Considerations

Executive Order 11988 "Floodplain Management" links the need to protect lives and property with the need to restore and preserve natural and beneficial floodplain values. Federal agencies are directed to avoid conducting, allowing, or supporting actions on the base floodplain unless the agency finds that the base floodplain is the only practicable alternative location. In response to this EO, the Department of Transportation issued and order (DOT 5650.2) directing agencies to utilize the NEPA process as "the vehicle through which implementation of this policy [EO 11988] is documented". It further outlines that the NEPA document shall identify the following for all alternatives involving floodplain encroachments: (1) any risk to, or resulting from, the transportation Action; (2) the impacts on natural and beneficial floodplain values; and (3) the degree to which the action provides direct or indirect support for development in the base floodplain. The DOT Order also states that the NEPA analysis include, "sufficient discussion to permit an initial review of the adequacy of methods proposed to minimize harm, and, where practicable, to restore and preserve the natural and beneficial floodplain values affected."

We recommend the NEPA document include a discussion of and describe how the proposed project was designed with consideration of these policies, including relevant maps of the region. We recommend the NEPA analysis discuss what the adverse impacts of the Project may have on base floodplains, including direct or indirect support for development, and what mitigation is implemented to restore and preserve natural and beneficial floodplain values adversely affected by the Project. We also recommend discussing any predictive precipitation, flooding and/or stormwater risk modeling that was conducted for the Project area.

Groundwater

Groundwater is an important resource since it provides domestic and public water supply and supports environmental flows and levels in groundwater dependent ecosystems (GDEs). GDEs include wetlands fed by groundwater, terrestrial vegetation and fauna sustained by shallow groundwater, ecosystems in streams, lakes fed by groundwater, and springs. While GDEs occupy a small percentage of landscapes in the West, riparian areas and GDEs provide disproportionately large ecosystem services such as water filtration, wildlife habitat, and flood control. Construction and maintenance practices associated with roads, and heavy equipment use have the potential to impact GDEs by altering surface run-off, infiltration, evapotranspiration, sedimentation, and soil compaction. Additionally, construction and maintenance actions such as equipment fueling and waste practices in temporary work areas have the potential to introduce contaminants to GDEs and shallow aquifers. We recommend the NEPA document include a map of groundwater resources, including GDEs, and a discussion to include the following information (if available): identification of major aquifers; location and extent of groundwater recharge areas; location of existing and potential (i.e., those that can reasonably be used in the future) underground sources of drinking water (USDW); and characterization of source water protection zones for public water systems in proximity of the project (see more information below).

Public Drinking Water Supply Sources

The proposed construction activities could potentially impact sources of public drinking water. For example, road construction is a major source of sediment. Sediment can adversely impact water quality by increasing turbidity, plugging filters and other treatment systems, and increase cost of water treatment. Suspended sediment can also carry chemical pollutants, such as phosphates, pesticides and

hydrocarbons into surface water and groundwater. The EPA recommends that the NEPA document include a map, appropriate for public dissemination, showing the generalized locations of all source water assessment and protection areas associated with public drinking water supplies. We also recommend that the NEPA document include an assessment of potential Project impacts and benefits, as well as design criteria and mitigation options for protecting these high value drinking water resources from potential Project impacts.

Air Quality

CAA Conformity vs. NEPA

The EPA understands that the proposed Project may not require transportation conformity given that it is not located in a non-attainment or maintenance area for the NAAQS pollutants and that operation of the proposed project may not lead to regionally significant increases in criteria pollutants that would interfere with attainment of the NAAQS. However, NEPA requires an analysis of all impacts that could potentially be significant, and violations of the NAAQS, which are the focus of CAA requirements, are not the only potentially significant air quality impacts that could occur with this project. Specifically, construction activities proposed as a part of the Project warrant attention in the NEPA document for purposes of disclosure and agency decision-making. Construction impacts to air quality can be short-term and not lead to violations of the NAAQS but still have significant impacts to surrounding communities. Therefore, consideration of potential impacts with respect to existing air quality and sensitive receptors at a more localized scale is an important part of a meaningful analysis. Examples of potential air emissions associated transportation construction activities include air pollutants from diesel- and gasoline-fueled construction and maintenance equipment, emissions from idling equipment, and emissions from vehicles traveling on paved and unpaved roads, including re-entrained dust.

To evaluate the impacts of construction activities to local air quality, we recommend the NEPA document include a description of the construction activities, the types and numbers of emission sources (such as off-road heavy duty diesel construction equipment) associated with each of those activities, the durations of each of those activities, and a quantification of criteria pollutant and HAPS emissions. Reasonable estimates regarding emission sources can be presented based on NDDOT's knowledge of similar projects. For criteria pollutants we recommend coordinating with the North Dakota DEQ's Division of Air Quality (DoAQ) to establish representative design values (background pollutant concentrations) based on the most recent monitoring data that are representative of the Project area. Data are available from the EPA at their design values webpage.[7] Monitoring locations and data can also be accessed by the public through the EPA's outdoor air monitor webpage,[8] as well as through the EPA's Air Quality System (AQS) for AQS users.[9] We recommend the NEPA document provide narrative discussions to explain the numeric design values and NAAQS in plain terms such that the public can understand the overall existing quality of the air as well as any occurring trends.

We recommend the NEPA document then provide an assessment of the potential impacts of these emissions to human health and the environment, with consideration of sensitive receptors in the area surrounding the project (e.g., residents, pedestrians including schoolchildren, and recreationalists). As

[7] https://www.epa.gov/air-trends/air-quality-design-values.
[8] https://www.epa.gov/outdoor-air-quality-data/interactive-map-air-quality-monitors.
[9] https://www.epa.gov/aqs.

part of such an assessment, we recommend contextualizing these emissions, for example, by comparing them to other typical sources of emissions so that the outputs of these analyses can be translated to more meaningful outcomes that the public can understand.

Additional relevant outcomes that we recommend discussing include:

- Impacts from each of the criteria pollutants (ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, and lead), including with respect to their respective NAAQS; and
- Impacts that could result from exposure to hazardous air pollutants (HAPs) based on relevant health-based risk thresholds for HAPs.

We anticipate NDDOT would utilize (or ensure the construction contractor utilize) Best Management Practices (BMPs) during construction. We recommend the NEPA document discuss these BMPs and any measures to minimize particulate matter and other emissions, including airborne dust and vehicular and machinery exhaust during construction. Since localized impacts from $PM_{2.5}$ and PM_{10} emissions can occur with road construction projects, we suggest local air monitoring be implemented for regions with larger communities, such as in range of the towns of Logan, Sawyer, Velva, and Voltair, to demonstrate the effectiveness of BMPs in minimizing adverse effects and allow for BMP modifications or the application of mitigation measures should air quality problems be detected. We also recommend the NEPA document identify how and when information regarding construction activities will be conveyed to the public in a timely and meaningful way so that community members can plan, as needed, to avoid areas of impacted air quality. We also recommend including in public announcements, to the extent possible, an approximate time period or phasing schedule for the project's permitting and construction.

NORTH Dakota | Water Resources
Be Legendary.

May 13, 2025

Mr. Mike Huffington

Ulteig Engineering
3350 38th Avenue South
Fargo, ND 58104
Mike.huffington@ulteig.com
701-280-8655

Dear Mr. Huffington,

This is in response to your request for a review of the environmental impacts associated with the US 52 Four Lane From Approximately 2.3 Miles West Of Junction Of 79th Ave SE To Voltaire Project No 4-052 (109) 101, PCN 24012, located in Ward and McHenry Counties, North Dakota.

The proposed project has been reviewed by Department of Water Resources (DWR), and the following comments are provided:

- There is a FEMA National Flood Insurance Program (NFIP) regulatory floodplain identified or mapped where this proposed project is to take place. Impacted areas are designated to be in NFIP Zone AE, with a certified levee. A CLOMR is likely required. The State of North Dakota has no formal NFIP permitting authority, as all NFIP permitting decisions are considered by impacted NFIP participating communities, which is the community with zoning authority for the area in question. Please work directly with the local floodplain administrator of the zoning authority impacted to achieve NFIP and community compliance.

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of any future projects identified in the plan, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the DWR Water Appropriation Division if you have any questions at (701) 328-2754 or appropinfo@nd.gov.

- The DWR maintains a network of observation wells across the state for monitoring the water levels and quality in glacial and bedrock aquifers. These wells are often installed in road and highway rights-of-way to limit inconvenience to the adjacent landowners. DWR observation wells have a yellow protective casing extending between 1 and 3 feet above ground surface, and their locations are marked with a stake. If an observation well is encountered during project activities and must be removed, please contact the Water Appropriation Division. The DWR hopes to keep all observation wells, but otherwise will ensure the well is properly abandoned.

- The DWR Engineering and Permitting Section reviewed the project location and determined that it likely does not require a surface drain permit unless the project impacts sloughs, ponds, lakes (i.e., wetlands) outside of the roads' right-of-way. For more information on these requirements, please visit the Regulation & Appropriation tab on the DWR's website (dwr.nd.gov) or contact the DWR's Regulatory Division at 701-328-4956 or dwrregpermits@nd.gov.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or kyrkoski@nd.gov.

Sincerely,

Kyle Yrkoski
Planner III

KY:mg/1570

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, ND 58504

September 5, 2025

SUBJECT: NWO-2022-00132-BIS – NDDOT US Highway 52 Four-Laning, PCN 24012 Addendum/Reverification– Approved/Preliminary Jurisdictional Determination

North Dakota Department of Transportation
Attn: Mr. Russell Senske
608 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Mr. Senske:

This letter is in response to your request received on August 14, 2025 for a jurisdictional determination reverification for the US Highway 52 from Minot to Voltaire Four-Lane project. The site is located in multiple sections of Townships 152-154 North, Ranges 79-82 West, starting near Latitude 48.174865° North, Longitude -101.204405° West, Ward County and ending near Latitude 48.016825° North, Longitude -100.827324° West, McHenry County, North Dakota. Your request has been assigned the Corps Regulatory File Number referenced above. Please reference this file number on any correspondence to us or to other interested parties when referencing this project or concerning this request.

The U.S. Army Corps of Engineers (Corps) regulates the discharge of dredged and fill material into waters of the United States under Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and structures or work in, over, and under navigable waters of the United States under Section 10 of the Rivers and Harbors Act (RHA) (33 U.S.C. 403). The implementing regulations for these Acts are published in the Code of Federal Regulations at 33 CFR parts 330-332.

The enclosed preliminary JD is our written indication that the resources identified as OW1a,b, W1c,d, W4, W5a,c,d,f, OW5b,e, W9a, OW9b, OW11a,b, W11c,d,e, OW12a,b, OW20a,d, W20b,c,e, OW23a-b, W23c, OW24a,b, W25a,b,c, W28a, OW28b, W30, W31a,c,d,f OW31b,e, W35a,b, W36, W37, W38, W39a,b, W40, W43a,b,c, W47a,b,c,d,e,f, W49a,c, OW49b,d, W51a,c,d,f, OW51b,e, W52, W54, W56a,b,c,d,e OW59a, W59b,c,d, W61a-z,aa, OW61h,j,n,p,s,v, W63a,b, W65, W64, W68a,b, W69, W70, W72a,b,c,d, W75a,b, and W76 may be jurisdictional waters of the United States. Such waters will be treated as jurisdictional for computation of impacts and compensatory mitigation requirements.

Based on our evaluation of the information provided and other available information, we have also determined the following resources are non-jurisdictional: W2, W3, W6, W7a,b,c, W8, W10a,b, W13, W14, W15, W16, W17, W18, W19, W21, W22, W26, W27, W29, W30, W32, OW33a,b, OW34a,b,c, W34d, W41, W42a,b,c, W44, W45, W46, W48, W50, W55, W57, W58, W60, W62, W65, W66, W67, W71, W73, W74, W77, W78, W79a, OW79b, W80. The attached approved jurisdictional determination provides rationale for why these aquatic resources do not meet the definition of waters of the United States. Based on this determination, a Department of

the Army permit is not required for the discharge of dredged or fill material into these aquatic resources. This determination does not eliminate requirements to obtain any other applicable federal, state, tribal, or local permits.

Attached to this letter is the approved jurisdictional determination for your project site. This jurisdictional determination is valid for a 5-year period from the date of this letter, until **September 5, 2030**, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR part 331. Enclosed you will find a *Notification of Administrative Appeal Options and Process and Request for Appeal* (NAO-RFA) form. If you request to appeal this determination, you must submit a completed NAO-RFA form to the address listed on the form.

For an NAO-RFA to be accepted by the Corps, the Corps must determine that it is completed, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the NAO-RFA. Should you decide to submit an NAO-RFA form, it must be received at the Division Office by **November 3, 2025**. It is not necessary to submit an NAO-RFA form to the Division Office if you do not object to the determination in this letter.

In the event that you disagree with this approved jurisdictional determination, and you have **new information** not considered in the original determination, you may request reconsideration of this determination by contacting this office prior to initiating an appeal. To request this reconsideration based upon new information, you must submit the new information to this office so that it is received within 60 days of the date of the NAO-RFA.

The Corps' Omaha District, 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 https://regulatory.ops.usace.army.mil/customer-service-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 by mail. Additionally, further information regarding the Omaha District Regulatory Program can be obtained by visiting our website at https://www.nwo.usace.army.mil/Missions/Regulatory-Program/.

If you have any questions concerning this jurisdictional determination, please contact Amber Inman by phone at (701) 989-6428 or by email at Amber.L.Inman@usace.army.mil and reference file number **NWO-2022-00132-BIS**.

Sincerely,

Benjamin N. Soiseth
Chief, North Dakota Section

Enclosures

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NWO DISTRICT
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504

CENWO-ODR-N September 5, 2025

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023) ,[1] NWO-2022-00132-BIS, US Highway 52 4-Laning from 2.3 Miles West of Junction 79th Avenue SE to Voltaire, PCN 24012 Addendum/Reverification (associated PJD, see Section 10 for details) [2]

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.[3] AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.[4] For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),[5] the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of “waters of the United States” found in the pre-2015

---

[1] While the Supreme Court’s decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

[2] When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, interstate water, or territorial seas that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

[3] 33 CFR 331.2.

[4] Regulatory Guidance Letter 05-02.

[5] USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

regulatory regime and consistent with the Supreme Court's decision in *Sackett*. This AJD did not rely on the 2023 "Revised Definition of 'Waters of the United States,'" as amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in this state due to litigation.

1. SUMMARY OF CONCLUSIONS.

   a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

i. Wetland 2, is not a water of the United States, non-jurisdictional wetland
ii. Wetland 3, is not a water of the United States, non-jurisdictional wetland
iii. Wetland 6, is not a water of the United States, non-adjacent wetland
iv. Wetland 7a,b,c, is not a water of the United States, non-adjacent wetland
v. Wetland 8, is not a water of the United States, non-adjacent wetland
vi. Wetland 10a,b, is not a water of the United States, non-adjacent wetland
vii. Wetland 13, is not a water of the United States, non-adjacent wetland
viii. Wetland 14, is not a water of the United States, non-adjacent wetland
ix. Wetland 15, is not a water of the United States, non-adjacent wetland
x. Wetland 16, is not a water of the United States, non-adjacent wetland
xi. Wetland 17, is not a water of the United States, non-adjacent wetland
xii. Wetland 18, is not a water of the United States, non-adjacent wetland
xiii. Wetland 19, is not a water of the United States, non-adjacent wetland
xiv. Wetland 21, is not a water of the United States, non-adjacent wetland
xv. Wetland 22, is not a water of the United States, non-adjacent wetland
xvi. Wetland 26, is not a water of the United States, non-jurisdictional wetland
xvii. Wetland 27, is not a water of the United States, non-jurisdictional wetland
xviii. Wetland 29, is not a water of the United States, non-adjacent wetland
xix. Wetland 30, is not a water of the United States, non-adjacent wetland
xx. Wetland 32, is not a water of the United States, non-jurisdictional wetland
xxi. OW33a,b, is not a water of the United States, intrastate stream/river
xxii. OW34a,b,c, is not a water of the United States, intrastate stream/river
xxiii. Wetland 34d, is not a water of the United States, non-adjacent wetland
xxiv. Wetland 41, is not a water of the United States, non-adjacent wetland
xxv. Wetland 42a-c, is not a water of the United States, non-adjacent wetland
xxvi. Wetland 44, is not a water of the United States, non-adjacent wetland
xxvii. Wetland 45, is not a water of the United States, non-adjacent wetland
xxviii. Wetland 46, is not a water of the United States, non-adjacent wetland
xxix. Wetland 48, is not a water of the United States, non-adjacent wetland
xxx. Wetland 50, is not a water of the United States, non-adjacent wetland

xxxi. Wetland 55, is not a water of the United States, non-jurisdictional wetland
xxxii. Wetland 57, is not a water of the United States, non-jurisdictional wetland
xxxiii. Wetland 58, is not a water of the United States, non-jurisdictional wetland
xxxiv. Wetland 60, is not a water of the United States, non-jurisdictional wetland
xxxv. Wetland 62, is not a water of the United States, non-adjacent wetland
xxxvi. Wetland 65, is not a water of the United States, non-jurisdictional wetland
xxxvii. Wetland 66, is not a water of the United States, non-jurisdictional wetland
xxxviii. Wetland 67, is not a water of the United States, non-adjacent wetland
xxxix. Wetland 71, is not a water of the United States, non-adjacent wetland
xl. Wetland 73, is not a water of the United States, non-adjacent wetland
xli. Wetland 74, is not a water of the United States, non-adjacent wetland
xlii. Wetland 77, is not a water of the United States, non-adjacent wetland
xliii. Wetland 78, is not a water of the United States, non-adjacent wetland
xliv. Wetland 79a, OW79b, is not a water of the United States, non-adjacent wetland
xlv. Wetland 80, is not a water of the United States, non-adjacent wetland

2. REFERENCES.

   a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (November 13, 1986).

   b. Clean Water Act Regulatory Programs, 58 FR 45008 (August 25, 1993).

   c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States & Carabell v. United States* (December 2, 2008)

   d. *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023)

   e. 2008 Rapanos Guidance

   f. "Memorandum to the Field Between the U.S. Department of the Army, U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency Concerning the Proper Implementation of 'Continuous Surface Connection' Under the Definition of "Waters of the United States" Under the Clean Water Act" (March 12, 2025)

3. REVIEW AREA. Review area is approximately 1975 acres along US Highway 52, Ward and McHenry Counties in multiple sections of Townships 152-154 North, Ranges 79-82 West, starting near Latitude 48.174865° North, Longitude -

101.204405° West and ending near Latitude 48.016825° North, Longitude -100.827324° West; Boundary map for review area is attached.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED. N/A. [6]

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS N/A.

6. SECTION 10 JURISDICTIONAL WATERS[7]: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10. N/A [8]

7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

   a. TNWs (a)(1): N/A

---

[6] This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

[7] 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

[8] This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

b. Interstate Waters (a)(2): N/A

c. Other Waters (a)(3): N/A

d. Impoundments (a)(4): N/A

e. Tributaries (a)(5): N/A

f. The territorial seas (a)(6): N/A

g. Adjacent wetlands (a)(7): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

a. Describe aquatic resources and other features within the review area identified as "generally non-jurisdictional" in the preamble to the 1986 regulations (referred to as "preamble waters").[9] Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water. N/A

b. Describe aquatic resources and features within the review area identified as "generally not jurisdictional" in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance. Wetlands 2, 3, 26, 27, 32, 55, 57, 58, 60, 65, and 66 (1.104-acres total) were identified as ditch wetlands in the delineation report. After careful analysis and review of Google Earth imagery, flood risk inundation maps, historical imagery, and elevation imagery, wetlands 2, 3, 26, 27, 32, 55, 57, 58, 60, 65, and 66 were determined to be roadside ditch wetlands adjacent to US Highway 52. Wetland 32 was determined to be a railroad ditch wetland adjacent to BNSF railway. None of them are connected to larger wetland complexes or tributary systems outside of the ditches. They are confined within the road ditch. Per the 2008 Rapanos Guidance, ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water are generally not waters of the U.S. because they are not tributaries. The wetlands in question have formed in low-lying depressions within the roadside ditches; they were excavated wholly in, drain only uplands, and do not carry a relatively permanent flow of water between the subject ditches and the nearest RPW/TNW. No relatively permanent flow of water between the subject ditches and nearest

[9] 51 FR 41217, November 13, 1986.

RPW/TNW was observed within the ditches during review of aerial imagery available on Google Earth (1995-2023). Therefore, these resources are not regulated under Section 404 of the Clean Water Act.

c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA. Include the size of the waste treatment system within the review area and describe how it was determined to be a waste treatment system. N/A

d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland. N/A

e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in "*SWANCC*," would have been jurisdictional based solely on the "Migratory Bird Rule." Include the size of the aquatic resource or feature, and how it was determined to be an "isolated water" in accordance with *SWANCC*. N/A

f. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime consistent with the Supreme Court's decision in *Sackett* (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Wetland 6 (2.22 acres) was identified as a natural wetland basin in the report. After a review of imagery, the Corps concurs that this is a natural wetland basin; it was therefore assessed for adjacency to any RPWs or TNWs. Wetland 6 is situated in a farm field on the south side of US Highway 52, and based on the delineation boundaries and aerial imagery, it does not extend into the ditch. This wetland is a typical "pothole" wetland, as it is a depressional wetland contained entirely within a defined basin with no outlets or manmade drainages to potentially connect it to any RPWs/TNWs. As a result of this case specific analysis, wetland 6 is not regulated under Section 404 of the Clean Water Act.

Wetland 7a,b,c (0.185-acre) was delineated as separate segments in the report. Wetland 7a and 7b were identified as natural wetlands, and segment 7c was identified as a created ditch wetland. After careful analysis, it was determined

that segment 7a-c are all one wetland complex with 7c separated by the road to the private residence (Prairie Wind Pet Lodge). Wetland 7a-c does not fit the criteria for "generally not jurisdictional" in the Rapanos Guidance. It was therefore analyzed for adjacency to the nearest RPW. Wetland 7a-c is situated north of CR 16; it is lacking any apparent culverts to connect it to the south side of CR 16 where there are some drainage features approximately 0.25 miles south of the road. Looking east and west along the road ditch, there are no identifiable culverts to maintain discrete continuous surface connections beyond the survey corridor. As a result of this case specific analysis, wetland 7a-c is not regulated under Section 404 of the Clean Water Ac

Wetland 8 (0.154-acre) is a natural slope wetland situated on the west side of Highway 52; it does not extend beyond the project boundaries, and it is associated with a drainage feature. According to the delineation, it is separated from wetland 9a by about 112 feet of uplands. Wetland 9a is associated with OW 9b (a relatively permanent tributary to the Souris River). Wetland 9b flows into a culvert under the highway and flows into OW9b on the east side of the highway. Per the 2025 Continuous Surface Connection Memo, because wetland 8 does not physically abut OW 9b or its associated wetland 9a, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 10a,b (0.316-acre) was delineated as separate segments and identified as a drainage in the report. After a review of imagery, the Corps concurs that this resource is part of a natural drainage system; it was therefore assessed for connections to any RPWs or TNWs. Looking southwest of the project area, 10a continues out of the project within a defined wooded drainage area. However, after reviewing aerial imagery, topography imagery, and flood risk maps, there is no discernible discrete continuous surface connection to the nearest RPW located approximately 0.90 miles south of wetland 10a. Looking north of the project area, wetland 10b continues north out of the project area and down into a valley toward some private residences. There are no discrete continuous surface connections beyond the residences and to a set of culverts observed under CR 19. As a result of this case specific analysis, wetland 10a-b is not regulated under Section 404 of the Clean Water Act.

Wetlands 13, 14, 15, 16, 17, 18, and 19 (0.184-acre total) were all identified as natural slope wetlands in the report. After a review of imagery, the Corps concurs that these resources are part of a natural drainage system; they were therefore assessed for connections to any RPWs or TNWs. Wetlands 13-19 are all similarly situated wetlands within a wooded drainage area southwest of Highway 52. None of them encompass the south road ditch of Highway 52 nor are there

any culverts to potentially connect anything to the north side of Highway 52. Based on imagery and topography, it appears that this drainage continues southwest out of the project area and in between a couple private residences. However, this is a heavily wooded area, and based on Bingmaps streetview, there are no apparent culverts for the drainage to continue south of Dakota Ridge Road South and to the nearest RPW approximately 0.43 miles south of Dakota Ridge Road. As a result of this case specific analysis, wetlands 13-19 are not regulated under Section 404 of the Clean Water Act.

Wetland 21 (2.053-acres) was identified as a natural wetland basin in the report. After a review of imagery, the Corps concurs that this resource is a large natural wetland basin; it was therefore assessed for connections to any RPWs or TNWs. Looking north, there is a culvert that goes under Highway 52 that is approximately 120 feet away from the closest boundary of wetland 21. However, looking at Google Earth streetview imagery, it is apparent that wetland 21 does not encompass any of the road ditch and there is no discernible discrete continuous connection path between the wetland and the culvert. Analyzing south of wetland 21, there is an obvious topography change just south of the wetland that is apparent on Google Earth streetview imagery. This stark change in topography prevents any potential connections south of the project area. As a result of this case specific analysis, wetland 21 is not regulated under Section 404 of the Clean Water Act.

Wetland 22 (0.777-acre) is a natural wetland situated on the northeast side of Highway 52; based on the delineation, it does extend northeast beyond the project boundaries. Wetland 22 was assessed for continuous surface connection to three RPWs. The first RPW (identified as OW20d in the report) is about 0.4 miles northwest of wetland 22; the second RPW (identified as OW23b in the report) is about 0.3 miles southeast of wetland 22; the third RPW is also a traditional navigable water (TNW) known as the Souris River, and it is about 0.43 miles northeast of wetland 22. RPW 1 and RPW 2 are both tributaries to the Souris River. Based on the delineation report, wetland 22 does not extend far enough within the project area to physically abut RPW 1 or RPW 2. Aerial imagery, wetland maps, hydrography maps, flood risk maps, and lidar imagery were all assessed to determine if wetland 22 extends far enough outside the project boundaries to physically abut RPW 3/TNW Souris River. Based on a review of these sources, wetland 22 does not extend to physically abut RPW 3/TNW Souris River. Per the 2025 Continuous Surface Connection Memo, because wetland 22 does not physically abut RPW 1, RPW 2, or RPW 3/TNW Souris River, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 29 (0.021-acre) was identified as a natural drainage wetland in the report and after a review of imagery, the Corps concurs; it was therefore assessed for connections to any RPWs or TNWs. Wetland 29 is located at the bottom of a drainage with culverts to connect it to the north of Highway 52. Looking south of the wetland, it is apparent with elevation and aerial imagery that the drainage continues for another 600-1000 feet before there is an obvious elevation increase of about 75-80 feet between the wetland and the higher ground south of project area. The topography prevents any continuous connection paths. As a result of this case specific analysis, wetland 29 is not regulated under Section 404 of the Clean Water Act.

Wetland 30 (0.179-acre) is a natural wetland basin situated on the south side of the highway; it does not extend beyond the project boundaries. The closest RPW is about 0.36 miles southeast of wetland 30. Wetland 30 maintains a flowpath to the RPW via a drainage swale. However, based on the report, wetland 30 does not extend beyond the project boundaries to physically abut the RPW. Per the 2025 Continuous Surface Connection Memo, because wetland 30 does not physically abut the RPW, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

OW 33a-b (0.062-acre) was identified as an unnamed tributary to the Souris River. After careful analysis and a review of aerial imagery, the Corps concurs that this is a 1st order tributary. OW 33a-b is connected via a culvert underneath a private driveway. Looking upstream of the tributary, there are no TNWs to which it connects; there is an impoundment on the upstream end of the tributary, but it is not a TNW nor does it support any type of interstate or foreign commerce. Looking downstream of the tributary, it is approximately 390 feet south of Highway 52 with a culvert under Highway 52 to maintain connectivity north of the highway. The various sources were analyzed, as north of the highway (at the culvert outlet), the tributary loses all definition (no wracking, bed and bank, scour, or other evidence of an ordinary high-water mark are present). Based on this analysis, the tributary no longer continues to flow into the Souris River due to road construction and associated ditch grading. Additionally, this tributary lacks the appropriate links to interstate commerce sufficient to establish a basis of jurisdiction. As a result of this case specific analysis, OW33a-b is not regulated under Section 404 of the Clean Water Ac

OW 34a,b,c (0.094-acre) and wetland 34d (0.085-acre) are associated with an unnamed tributary that historically flowed into the Souris River. After a careful analysis and review of aerial imagery, wetland maps, hydrography maps, flood

risk maps, lidar imagery, and historical imagery, the Corps concurs that this is a 1st order tributary. OW 34a,b,c flows in from south of the project area and goes to a culvert under the highway. The various sources were analyzed, as north of the highway (at the culvert outlet), the tributary loses all definition (no wracking, bed and bank, scour, or other evidence of an ordinary high-water mark are present). Based on this analysis, the tributary no longer continues to flow into the Souris River due to road construction and associated ditch grading. This tributary also lacks the appropriate links to interstate commerce sufficient to establish a basis of jurisdiction. As a result of this case specific analysis, OW 34a,b,c was determined to be intrastate stream lacking connectivity to a TNW; wetland 34d is also therefore lacking a connection to a downstream TNW. OW 34a,b,c and wetland 34d are not regulated under Section 404 of the Clean Water Act.

Wetland 41 (0.066-acre) is a linear wetland situated within an agricultural drainage ditch on the south side of the highway and about 40 feet south of a culvert positioned under the highway. The closest RPW is the Souris River, which is located on the north side of the highway and approximately 0.25 miles away from wetland 41. Based on the report, wetland 41 does not extend beyond the project boundaries to physically abut any RPWs. Per the 2025 Continuous Surface Connection Memo, because wetland 41 does not physically abut an RPW, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetlands 42a,b,c (4.328-acres), 44 (0.102-acre), 45 (0.28-acre), and 46 (0.374-acre) are all natural wetlands that also encompass the ditch on the south side of Highway 52. They are all situated within a half mile stretch. Wetlands 42a,c and 46 extend south beyond the project boundaries. The closest RPW is the Souris River, which is located on the north side of the highway and approximately 0.30 miles away from the wetlands. There are no culverts under the highway to maintain potential connectivity to the Souris River. Per the 2025 Continuous Surface Connection Memo, because wetlands 42a,b,c, 44, 45, and 46 do not physically abut an RPW, they do not maintain continuous surface connections with a jurisdictional water and are therefore not regulated under Section 404 of the Clean Water Act.

Wetland 48 (0.092-acre) was identified as a created ditch wetland in the delineation report. It is situated within the ditch on the north side of the railroad. The closest RPW is Oak Creek (a Souris River tributary), and it is approximately 380 feet southeast of wetland 48. Based on the delineation, wetland 48 does not extend all the way to Oak Creek. Because wetland 48 does not physically abut the RPW, it does not maintain a continuous surface connection with a

jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 50 (0.009-acre) was identified as a created ditch wetland in the delineation report. It is situated within the ditch on the south side of the railroad. The closest RPW is Oak Creek, and it is approximately 0.25 miles northwest of wetland 50. Based on the delineation, wetland 50 does not extend all the way to Oak Creek. The Souris River is also about 232 feet north of wetland 50; there is no culvert under the railroad track for wetland 50 to continue north of the tracks to abut the Souris River. Because wetland 50 does not physically abut either of the RPWs, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 53 (0.345-acre) was identified as a created ditch wetland in the delineation report. It is situated on the southside of the railroad and is associated with a historic Souris River oxbow. The closest RPW is the Souris River immediately north of the railroad and about 560’ away from the wetland. Based on the delineation, wetland 53 does not extend all the way to the Souris River. Oak Creek is also about 670’ west of wetland 53; wetland 53 does not extend to Oak Creek either. Because wetland 53 does not physically abut either of the RPWs, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 62 (0.07-acre) is a natural wetland basin situated on the north side of the highway and contained entirely within the project boundaries. It is within 100’ of Spring Creek (RPW) and aquatic resources 61a-d. Based on the delineation, wetland 62 does not extend all the way to the Spring Creek. Because wetland 62 does not physically abut either of the RPWs, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 67 (0.04-acre) was identified as a created ditch wetland in the delineation report. It is situated on the southwest side of the highway and directly north of an abandoned roadbed. The closest RPW is Spring Creek, and it is located directly east of the highway (about 218’ from wetland 67). There is no culvert under the highway to maintain the physical abutment requirement for wetland adjacency. Because wetland 67 does not physically abut the RPW, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 71 (0.268-acre) was identified as a created ditch wetland in the delineation report. It is situated on the north side of Highway 52 and directly south of the railroad. It is contained entirely within the project boundaries; the closest RPW is Spring Creek (61z) located approximately 272' west of wetland 71. Based on the delineation, wetland 71 does not extend all the way to Spring Creek. Because wetland 71 does not physically abut the RPW, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetlands 73 and 74 (0.538-acre total) were identified as ditch wetlands in the report; however, after careful analysis, the Corps determined that these resources are natural wetlands situated between the railway and Highway 52. They were therefore assessed for connections to any RPWs or TNWs. Looking north and south of the wetlands, there are no culverts under the railway or Highway 52 to maintain continuous surface connections outside of the project area. Looking east and west of the resources, no discernible discrete continuous surface connection paths to any RPWs or TNWS could be identified. As a result of this case specific analysis, wetlands 73 and 74 are not regulated under Section 404 of the Clean Water Ac

Wetland 77 (0.027-acre) is a natural wetland basin situated on the west side of Highway 52, and it extends south beyond the project boundaries. A Souris River tributary and RPW is located approximately 0.6 miles south of the wetland, so the landscape was assessed to determine if wetland 77 extends all the way to the RPW. Based on a review of aerial imagery, wetland maps, hydrography maps, flood risk maps, lidar imagery, and historical imagery, wetland 77 does not extend all the way to the RPW south of the project area. Because wetland 77 does not physically abut the RPW, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 78 (0.019-acre) is a natural wetland situated on the east side of the highway, and it is within 85' of an RPW Souris River tributary (OW9b). It does not extend beyond the project boundaries. Based on the delineation, wetland 78 does not extend all the way to Spring Creek. Because wetland 78 does not physically abut the RPW, it does not maintain a continuous surface connection with a jurisdictional water and is therefore not regulated under Section 404 of the Clean Water Act.

Wetland 79a (0.443-acre), OW79b (0.082-acre), and wetland 80 (0.023-acre) are natural wetlands associated with a 1st order tributary identified as OW33a-b in the report. OW79b is also a stock pond. Wetland 79a and OW79b extend beyond the

project boundaries; wetland 80 is entirely within the project boundaries. As previously discussed, OW33a-b does not flow directly or indirectly into a traditional navigable water (TNW) and was determined to be an intrastate stream that lacks the appropriate links to interstate commerce sufficient to establish a basis of jurisdiction. Based on this analysis, wetlands 79a, 80, and OW79b are also not regulated under Section 404 of the Clean Water, as they do not maintain a continuous surface connection with a jurisdictional water.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

   a. Office evaluation conducted on August 29, 2025

   b. Field Aquatic Resource Delineation Report for PCN 24012 Project No. 4-052(109)101 US 52 from 2.3 Miles West of Junction 79th Avenue SE to Voltaire Ward and McHenry Counties, delineated by Nick Anderson and Jeff Moss of Ulteig Engineers on October 23 and 24, 2023.

   c. Aquatic Resources Delineation Report Addendum for NWO-2022-00132-BIS, delineated by Ulteig on June 3, 2025.

   d. Google Earth Pro 1997-2022 Accessed August 29, 2025

   e. ND Department of Water Resources/FEMA Flood Risk Assessment Map Service https://ndram.dwr.nd.gov/ Accessed August 29, 2025

   f. USGS Advanced Map Viewer https://apps.nationalmap.gov/viewer/ Accessed August 29, 2025

   g. USFWS NWI Wetlands Mapper https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/ Accessed August 29, 2025

   h. Sentinel Hub, EO Browser https://apps.sentinel-hub.com/eo-browser/ Accessed August 29, 2025

10. OTHER SUPPORTING INFORMATION. Aquatic resources OW1a,b, W1c,d, W4, W5a,c,d,f, OW5b,e, W9a, OW9b, OW11a,b, W11c,d,e, OW12a,b, OW20a,d, W20b,c,e, OW23a-b, W23c, OW24a,b, W25a,b,c, W28a, OW28b, W30, W31a,c,d,f OW31b,e, W35a,b, W36, W37, W38, W39a,b, W40, W43a,b,c, W47a,b,c,d,e,f,

W49a,c, OW49b,d, W51a,c,d,f, OW51b,e, W52, W54, W56a,b,c,d,e OW59a, W59b,c,d, W61a-z,aa, OW61h,j,n,p,s,v, W63a,b, W65, W64, W68a,b, W69, W70, W72a,b,c,d, W75a,b, and W76 were omitted from evaluation in this AJD/MFR and instead evaluated in a Preliminary JD under the same USACE file number.

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

BACKGROUND INFORMATION

A. **REPORT COMPLETION DATE FOR PJD:** September 5, 2025

B. **NAME AND ADDRESS OF PERSON REQUESTING PJD:**

Senske, Russell
North Dakota Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505

C. **DISTRICT OFFICE, FILE NAME, AND NUMBER:**
NWO, NDDOT; US Hwy 52 Improvements, 4-052(109)101, PCN 24012; Ward, McHenry Counties, NWO-2022-00132-BIS

D. PROJECT LOCATION AND BACKGROUND INFORMATION:
(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: ND County/Parish/Borough: Ward County City:
Center coordinates of site (lat/long in degree decimal format):
Lat.: 48.085005^{oN} Long.: -101.028934^{oW}
Universal Transverse Mercator: 14
Name of nearest waterbody: Souris River

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: August 29, 2025
☐ Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
NWO-2022-00132-BIS,PCN24012_W1c	48.165992	-101.195225	0.045 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_W1d	48.165992	-101.195225	0.018 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_4	48.159707	-101.191989	0.018 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_5a	48.159212	-101.187958	0.106 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_5c	48.159212	-101.187958	0.131 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_5d	48.159994	-101.186391	0.083 acres	Wetland	Section 404
NWO-2022-00132-	48.159994	-101.186391	0.089 acres	Wetland	Section 404

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

BIS,PCN24012_5f					
NWO-2022-00132-BIS,PCN24012_9a	48.14854	-101.164923	1.681 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_11c	48.129869	-101.140942	0.031 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_11d	48.129687	-101.140696	0.151 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_11e	48.128634	-101.140706	0.059 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_20b	48.10298	-101.112278	0.013 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_20c	48.102907	-101.111943	0.042 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_20e	48.103382	-101.11088	0.023 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_23c	48.096709	-101.097104	0.011 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_25a	48.092323	-101.08341	0.905 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_25b	48.092456	-101.083165	0.021 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_25c	48.092934	-101.083245	0.854 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_28a	48.086163	-101.058787	0.154 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_31a	48.086217	-101.031707	0.174 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_31c	48.086265	-101.03139	0.185 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_31d	48.084753	-101.029959	0.278 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_31f	48.084759	-101.029933	0.242 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_35a	48.079201	-101.009458	0.28 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_35b	48.07905	-101.009571	0.011 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_36	48.076076	-101.002676	0.087 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_37	48.075473	-101.000693	0.868 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_38	48.075332	-101.000831	0.011 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_39a	48.074023	-100.997221	0.483 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_39b	48.074044	-100.996576	0.787 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_40	48.069851	-100.983909	1.165 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_43a	48.069667	-100.984028	2.188 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_43b	48.06732	-100.976917	0.655 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_43c	48.069746	-100.983672	0.886 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_47a	48.065637	-100.972234	0.177 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_47b	48.064453	-100.968733	1.142 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_47c	48.064693	-100.971772	0.618 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_47d	48.065011	-100.972029	0.205 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_47e	48.065813	-100.971687	0.421 acres	Wetland	Section 404

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

NWO-2022-00132-BIS,PCN24012_47f	48.064167	-100.966767	0.299 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_49a	48.062751	-100.963545	0.033 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_49c	48.06274	-100.963472	0.032 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_51a	48.058044	-100.950655	0.293 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_51c	48.058044	-100.950655	0.317 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_51d	48.058942	-100.94982	0.227 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_51f	48.058942	-100.94982	0.287 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_52	48.057077	-100.949356	0.234 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_54	48.057763	-100.942107	0.188 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_56a	48.057174	-100.938382	0.042 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_56b	48.056498	-100.936535	1.712 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_56c	48.056246	-100.935007	0.048 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_56d	48.055132	-100.931599	0.887 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_56e	48.055056	-100.931127	0.03 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_59b	48.054093	-100.925131	0.676 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_59c	48.05469	-100.923571	0.32 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_59d	48.05469	-100.923571	0.471 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61a	48.050638	-100.917717	0.342 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61aa	48.019144	-100.853681	3.908 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_61b	48.050219	-100.916854	0.327 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61c	48.048729	-100.914951	0.013 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61d	48.047327	-100.913508	0.927 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61e	48.040814	-100.904815	0.06 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61f	48.03959	-100.903116	0.027 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61g	48.03467	-100.894596	2.838 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61i	48.03467	-100.894596	0.199 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61k	48.03467	-100.894596	1.085 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61l	48.032587	-100.892641	6.227 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61m	48.029584	-100.88554	0.454 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61o	48.029584	-100.88554	0.537 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61q	48.029584	-100.88554	0.038 acres	Wetland	Section 404
NWO-2022-00132-	48.027604	-100.881376	0.42 acres	Wetland	Section 404

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

BIS,PCN24012_61r					
NWO-2022-00132-BIS,PCN24012_61t	48.02497	-100.877108	0.064 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61u	48.024606	-100.877432	0.064 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61w	48.022595	-100.872024	1.025 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61x	48.021919	-100.871393	5.108 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61y	48.020132	-100.856554	3.38 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_61z	48.019732	-100.854587	0.486 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_63a	48.04347	-100.910963	1.447 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_63b	48.043991	-100.909657	0.487 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_64	48.03177	-100.888674	0.135 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_68a	48.019402	-100.865004	0.613 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_68b	48.019321	-100.864497	1.576 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_69	48.020852	-100.860919	0.868 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_70	48.019107	-100.858865	1.654 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_72a	48.017871	-100.845387	0.058 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_72b	48.017871	-100.845387	1.885 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_72c	48.017871	-100.845387	0.077 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_72d	48.019149	-100.84848	0.044 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_75a	48.01736	-100.829286	1.305 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_75b	48.017708	-100.829193	0.478 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_76	48.015959	-100.828756	0.105 acres	Wetland	Section 404
NWO-2022-00132-BIS,PCN24012_OW1a	48.166147	-101.197943	0.071 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW1b	48.16626	-101.196081	0.11 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW5b	48.15905	-101.188122	0.052 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW5e	48.159977	-101.186663	0.062 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW9b	48.148347	-101.161373	0.069 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW11a	48.130435	-101.140356	0.231 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW11b	48.129086	-101.140827	1.324 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW	48.118153	-101.129798	0.114 acres	Non-wetland waters	Section 404

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

12a					
NWO-2022-00132-BIS,PCN24012_OW 12b	48.118566	-101.127812	0.048 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 20a	48.103331	-101.113482	0.908 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 20d	48.103879	-101.110824	0.241 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 23a	48.096048	-101.098087	0.181 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 23b	48.096936	-101.096694	0.113 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 24a	48.093315	-101.088832	0.539 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 24b	48.0941	-101.086359	0.4 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 28b	48.087149	-101.058092	0.073 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 31b	48.08585	-101.03191	0.132 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 31e	48.084421	-101.029789	0.077 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 49b	48.06278	-100.963513	0.026 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 49d	48.061924	-100.963448	0.49 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 51b	48.057806	-100.950867	0.113 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 51e	48.058777	-100.950183	0.148 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 59a	48.053089	-100.925243	0.049 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 61h	48.033932	-100.893041	0.171 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 61j	48.032039	-100.889993	0.39 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 61n	48.029451	-100.885305	0.16 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 61p	48.029395	-100.884105	0.015 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 61s	48.025227	-100.877127	0.263 acres	Non-wetland waters	Section 404
NWO-2022-00132-BIS,PCN24012_OW 61v	48.024444	-100.877559	0.198 acres	Non-wetland waters	Section 404

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD or no JD whatsoever, which do not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) 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) 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 USACE has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD or reliance on no JD whatsoever; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of USACE permit authorization based on a PJD or no JD whatsoever constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives 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 AJD or a PJD, the.JD will be processed as soon as practicable. Further, an AJD, 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. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the USACE will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (*check all that apply*)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

_X_ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor: Aquatic Resource Delineation Report for PCN 24012 Project No. 4-052(109)101 US 52 from 2.3 Miles West of Junction 79th Avenue SE to Voltaire Ward and McHenry Counties, delineated by Nick Anderson and Jeff Moss of Ulteig Engineers on October 23 and 24, 2024; Aquatic Resources Delineation Report Addendum for NWO-2022-00132-BIS, delineated by Ulteig on June 3, 2025.
Map: _____.

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

_X_ Data sheets prepared/submitted by or on behalf of the PJD requestor.
___ Office concurs with data sheets/delineation report.
___ Office does not concur with data sheets/delineation report. Rationale: _____.
___ Data sheets prepared by the Corps: _____.
___ Corps navigable waters' study: _____.
_X_ U.S. Geological Survey Hydrologic Atlas: The National Map Advanced Map Viewer.
___ USGS NHD data.
___ USGS 8 and 12 digit HUC maps.
___ U.S. Geological Survey map(s). Cite scale & quad name: _____.
___ USDA Natural Resources Conservation Service Soil Survey. Citation: _____.
___ National wetlands inventory map(s). Cite name: _____.
___ State/Local Wetland Inventory map(s): _____.
_X_ FEMA/FIRM maps: ND DWR/FEMA Flood Risk Assessment Map Service
___ 100-year Floodplain Elevation is: _____. (National Geodetic Vertical Datum of 1929)
___ Photographs: ___ Aerial (*Name & Date*): _____.
___ or ___ Other (*Name & Date*): _____.
_X_ Previous determination(s). File no. and date of response letter: NWO-2022-00132-BIS, April 24, 2024.
___ Other information (*please specify*): _____.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the USACE and should not be relied upon for later jurisdictional determinations.

Amber Inman
_____
Signature of Regulatory Staff Member Completing PJD

Russell Senske
_____
Signature of Person Requesting PJD (*REQUIRED, unless obtaining the signature is impracticable*)[1]

[1] Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

U.S. Army Corps of Engineers (USACE)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0003
Expires 2027-10-31

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

Principal Purpose This information serves as notification to affected parties regarding the USACE administrative appeal options and process, as well as to facilitate requests for appeal of USACE decisions with which they disagree.

Routine Uses Routine uses will include: (a) To serve as notification to affected parties of the Corps administrative appeal options and process and to facilitate requests for appeal of Corps decisions with which they disagree. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

Disclosure Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used to facilitate the initiation of the administrative appeals process. The appeals process allows an affected party to pursue an administrative appeal of certain Corps of Engineers decisions with which they disagree.

Upon release, this form will also be available on the Corps website https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/

Applicant: NDDOT, Attn: Mr. Russell Senske	File Number: NWO-2022-00132-BIS	Date: 2025-09-05

Documents Attached (*select all that apply*):		Form Reference Section:
☐	INITIAL PROFFERED PERMIT (*Standard Permit or Letter of Permission*)	A
☐	PROFFERED PERMIT (*Standard Permit or Letter of Permission*)	B
☐	PERMIT DENIAL WITHOUT PREJUDICE	C
☐	PERMIT DENIAL WITH PREJUDICE	D
☒	APPROVED JURISDICTIONAL DETERMINATION	E
☒	PRELIMINARY JURISDICTIONAL DETERMINATION	F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/ or Corps regulations at 33 CFR Part 331.

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. 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 WITHOUT PREJUDICE: *Not appealable*

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: *You may appeal the 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.

E: APPROVED JURISDICTIONAL DETERMINATION: *You may accept or appeal the approved JD or provide new information for reconsideration*

- 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.

- RECONSIDERATION: You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: *Not appealable*

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.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:		If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:	
Name:	Amber L. Inman	Name:	Melinda Larsen, Regulatory Appeals Review Officer
Street Address, City, State:	3319 University Drive Bismarck, North Dakota 58504	Street Address, City, State:	US Army Corps of Engineers, Northwestern Division 1201 NE Lloyd Blvd, Suite 400 Portland, OR 97232
Phone:	(701) 989-6428	Phone:	(503) 726-6194
Email:	Amber.L.Inman@usace.army.mil	Email:	Melinda.M.Larsen@usace.army.mil

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. Use additional pages as necessary. 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.

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.

Email address of appellant and/or agent	Telephone number
Signature of appellant or agent	Date

Outlook

FW: [EXTERNAL] RE: Highway 52 shape files of protected wetlands

From Mike Huffington <mike.huffington@ulteig.com>
Date Mon 11/24/2025 12:39 PM
To Whitney Sauskojus <whitney.sauskojus@ulteig.com>

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Haase, Marissa A <marissa_haase@fws.gov>
Sent: Thursday, August 7, 2025 1:38 PM
To: Mike Huffington <mike.huffington@ulteig.com>
Subject: RE: [EXTERNAL] RE: Highway 52 shape files of protected wetlands

External Sender Warning: Proceed with Caution!

Haase, Marissa A reacted to your message:

From: Mike Huffington <mike.huffington@ulteig.com>
Sent: Thursday, August 7, 2025 6:31:35 PM
To: Haase, Marissa A <marissa_haase@fws.gov>
Cc: Melin, Jason <jason_melin@fws.gov>; Johnson, Nicholas D <nicholas_johnson@fws.gov>
Subject: RE: [EXTERNAL] RE: Highway 52 shape files of protected wetlands

Marissa,

That sounds good, we will keep you posted on project developments as we learn more. As requested, I have attached a copy of the letter that was sent to the refuge.

Thanks,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Haase, Marissa A <marissa_haase@fws.gov>
Sent: Thursday, August 7, 2025 12:02 PM
To: Mike Huffington <mike.huffington@ulteig.com>
Cc: Melin, Jason <jason_melin@fws.gov>; Johnson, Nicholas D <nicholas_johnson@fws.gov>
Subject: Re: [EXTERNAL] RE: Highway 52 shape files of protected wetlands

External Sender Warning: Proceed with Caution!

Hey Mike-
Yes, you would be correct on needing a Special use permit and possible exchange of easement. As you guys get a better idea of your plan and we know what all is going to be effected we can start to get everything rolling. I am learning myself as we go. Just keep me in the loop as things progress and we can work through all the processes. Do you by chance have a copy of the original letter that was sent to the refuge, that you could email me. Thanks

---

From: Mike Huffington <mike.huffington@ulteig.com>
Sent: Thursday, August 7, 2025 11:09 AM
To: Haase, Marissa A <marissa_haase@fws.gov>
Cc: Melin, Jason <jason_melin@fws.gov>; Johnson, Nicholas D <nicholas_johnson@fws.gov>
Subject: [EXTERNAL] RE: Highway 52 shape files of protected wetlands

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning Marissa,

Thank you for the shapefile. We will take a look at it and determine which protected wetlands we are likely to be impacting.

The exact mitigation strategy for wetland impacts associated with this project is still up in the air. We are currently going through an effort to try and identify a potential off-site wetland restoration project to mitigate for project impacts, but we likely will not know the final outcome of that effort for a while. We are also in the process of preparing the Draft EA for the project. Within that document, we will likely leave the potential options for achieving compensatory mitigation for wetlands open ended.

Along those lines, is there anything specific within the EA that we should be mentioning or addressing related to these protected wetlands? If I recall correctly, to properly permit impacts to protected wetlands we would need to obtain a special use permit from the USFWS and possibly complete an easement exchange, but it has been several years since I last went through the process. Any additional insight that you can share with regards to the permitting/approval process would be greatly appreciated.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Haase, Marissa A <marissa_haase@fws.gov>
Sent: Wednesday, August 6, 2025 10:57 AM
To: Mike Huffington <mike.huffington@ulteig.com>
Cc: Melin, Jason <jason_melin@fws.gov>; Johnson, Nicholas D <nicholas_johnson@fws.gov>
Subject: Highway 52 shape files of protected wetlands

External Sender Warning: Proceed with Caution!

Hey Mike-
Sorry, I'm just getting back to you its been a hectic week. I have attached shape files of the protected wetlands we have in those sections so you can compare to your map. Sounds like this would be an exchange, do you a wetland bank by chance? Let me know if you would like to chat further. Thanks

Marissa Haase, Ast. Refuge Manager
Lostwood National Wildlife Refuge
Northwest North Dakota Complex

Mobile- 701-641-2564
Office- 701-848-2722 x: 24

NORTH Dakota | Mineral Resources
Be Legendary.™

April 21, 2026

Topic: US 52 Four Lane Project (PCN: 24012)

To Whom it May Concern:

I have reviewed the proposed project corridor for this work and the map of anticipated cuts of 10 feet or deeper within that corridor. When compared to a map of surficial exposure of rock units that score as a 4 or 5 on the Potential Fossil Yield Classification System (highest potential for encountering fossils), there are multiple locations where those cuts will disturb those rocks (See Attached Map). My recommendation is that the project should employ paleontological monitoring at those locations during ground disturbance activities. I am working to refine the areas where paleontological monitoring is necessary and will work together with ND DOT staff and other involved parties to clearly define those locations as planning for the project continues.

If you have any questions, please don't hesitate to contact our office.

Sincerely,

Clint A. Boyd
Senior Paleontologist
North Dakota Geological Survey
caboyd@nd.gov
(701) 328-8163

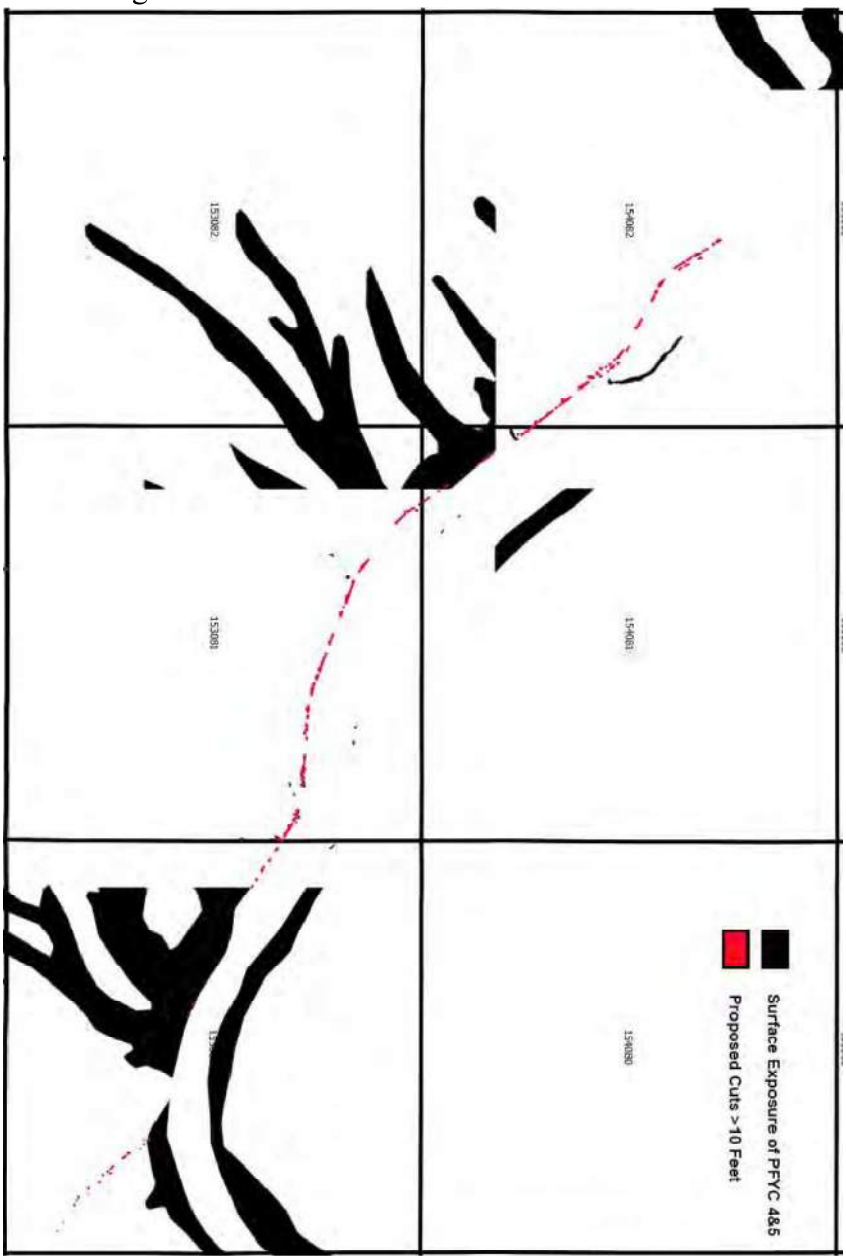
Mark F. Bohrer
ASSISTANT DIRECTOR
OIL AND GAS DIVISION

Nathan D. Anderson
DIRECTOR
DEPT. OF MINERAL RESOURCES

Edward C. Murphy
STATE GEOLOGIST
GEOLOGICAL SURVEY

600 E Boulevard Ave – Dept 474 | Bismarck, ND 58505-0614 | PHONE: 701-328-8000 | FAX: 701-328-8010 | dmr.nd.gov/dmr/ndgs

Figure 1. Map of proposed cuts of greater than 10 feet (red) versus surface exposure of rocks classified as 4 (high) or 5 (very high) on the Potential Fossil Yield Classification system. North is to the right.



Mark F. Bohrer
ASSISTANT DIRECTOR
OIL AND GAS DIVISION

Nathan D. Anderson
DIRECTOR
DEPT. OF MINERAL RESOURCES

Edward C. Murphy
STATE GEOLOGIST
GEOLOGICAL SURVEY

Appendix C, NDSHPO Documentation

NORTH Dakota | Transportation
Be Legendary.™

SECTION 106 COORDINATION FORM

The purpose of the Section 106 Coordination Form is to coordinate and ascertain the following Section 106 items:

- determine if the project actions can be exempted from further consultation
- determine the appropriate level of survey effort for identification needs (i.e. Class I, Class III)
- determine the appropriate Area of Potential Effect (APE) in regard to Section 106 for the project actions

PART I. *TO BE COMPLETED BY PROJECT MANAGER*

PCN	Project Number	Bid Ready Date	Section 106 Compliance Date
24012	4-052(109)101	TBD	6/15/2025
Project Location	US 52 - 2.3 Miles West of Junction of 79th Ave SE to Voltaire		
Work Type and Project Description	Preliminary engineering study including environmental studies for a four-lane divided highway facility concept on US 52. Work to include grading, aggregate base, hot bituminous surfacing, structural and incidentals.		

Yes	**1. Will proposed work activities be conducted outside of the existing roadway foreslopes?** *(including any temporary grading, construction access, or staging)*
Yes	**2. Will proposed work activities be conducted outside the existing right of way?** *(Temporary or Permanent, including any temporary grading, construction access, or staging)*

The limits of construction for the project have potential for disturbance up to 700 feet outside of the right of way *(including any temporary grading, construction access, or staging)*

Please describe and detail the proposed work, disturbance, and locations:

Project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway with the worst case scenario from a project footprint perspective including the construction of a new two-lane highway adjacent to the existing roadway corridor. Project may disturb undisturbed natural draws, coulees and channels and may include extension or replacement of existing box culverts and structural plate pipes. Disturbance would include both excavation and placement of fill material.

Yes	3. Will proposed work activities be conducted on any structures?			
Structure Number	Year Built	Structure Type	Border Bridge	Proposed Work on Structure
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Types	☐	
		Bridge Types	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	

If Yes, describe any required grading or excavation disturbance locations adjacent or underneath bridge:

The limits of construction have potential for disturbance up to 700 feet outside of the right of way. The disturbance would include excavation and grading. There are no bridges, but there is a potential for impacts to concrete box culverts and structural plate pipes within the study area.

Yes	4. Will any proposed work activities be conducted within a town or city?

If Yes, describe and detail the proposed work disturbance and locations, including any streetscaping items:

Project would include work along US 52 within the city limits of Velva, North Dakota, and project tie downs may extend into the city limits of Sawyer, North Dakota.

Within the city of Velva, the project may include reconstruction and expansion of US 52. The project may also include sidewalks, lighting, signals and access modification. Relocation of homes or businesses is not anticipated.

☑ **The Project Manager below has verified the above information related to the scope of work and activities for the project action. Any project action scope change or revision (both adding or removing work) requires an updated form to be submitted to continue coordination as it relates to Section 106 and Cultural Resources.**

Project Manager Name (typed)	NDDOT Division or Consultant Firm	Email	Date
Mike Huffington	Ulteig Engineers, Inc.	mike.huffington@ulteig.com	10/17/2023

Cultural Resource Sub-Consultant	Email	Date
Metcalf Archaeological Consultants, Inc.	dengel@metcalfarchaeology.com	10/17/2023

-Complete and email Section 106 Coordination Form to dotsection106@nd.gov (cc technical support person)

PART II. *TO BE COMPLETED BY THE NDDOT CULTURAL RESOURCE REPRESENTATIVE – NDDOT, ETS DIVISION*

☐ **Excepted Project- Is the project exempt from further review and consultation?**
Comments or description:

If Yes to "Excepted Project" above, no further Section 106 activities are required.

If No to "Excepted Project" above, complete the following APE and Identification Efforts that are needed for Section 106 Consultation and Compliance for the project action:

☐ **Right of way only**
☑ **Right of way plus 700 feet**
☐ **1,200 ft along the roadway in both directions from the center of the bridge, and 300 ft on either side of the centerline.**
☑ **Other- Describe and detail the appropriate APE to be utilized for the project actions:** Modify the survey area as needed.

Identification Efforts/Level of Survey- The appropriate Level of Survey based on the submitted information for the project action
☐ **Class I Survey**
☐ **Class II Survey**
☑ **Class III Survey**
☐ **Architectural Survey**
☑ **Other- Describe and detail the appropriate identification effort for the project actions:** Emphasis on high probability areas for this Fall.

Additional Requirements:
The Project Manager must notify the Cultural Resource Representative if any work or disturbance is found during project development to occur outside the APE defined above.

Based on the description and detail of the information submitted by the Project Manager for the scope of work and activities of the project action, the project will proceed as noted above regarding Section 106 and Cultural Resources.

NDDOT Cultural Resource Representative	Email	Date
Reilly Lembo	rlembo@nd.gov	10/23/2023

NORTH Dakota | Transportation
Be Legendary.™

SECTION 106 COORDINATION FORM

The purpose of the Section 106 Coordination Form is to coordinate and ascertain the following Section 106 items:

- determine if the project actions can be exempted from further consultation
- determine the appropriate level of survey effort for identification needs (i.e. Class I, Class III)
- determine the appropriate Area of Potential Effect (APE) in regard to Section 106 for the project actions

PART I. *TO BE COMPLETED BY PROJECT MANAGER*

PCN	Project Number	Milestone Bid Ready Date	Milestone Section 106 Compliance Date
24012	4-052(109)101	TBD	6/15/2025
Project Location	US 52 - 2.3 Miles West of Junction of 79th Ave SE to Voltaire		
Work Type and Project Description	Preliminary engineering study including environmental studies for a four-lane divided highway facility concept on US 52. Work to include grading, aggregate base, hot bituminous surfacing, structural and incidentals.		

Yes	**1. Will proposed work activities be conducted outside of the existing roadway foreslopes?** *(including any temporary grading, construction access, or staging)*
Yes	**2. Will proposed work activities be conducted outside the existing right of way?** *(Temporary or Permanent, including any temporary grading, construction access, or staging)*

The limits of construction for the project have potential for disturbance up to 700 feet outside of the right of way *(including any temporary grading, construction access, or staging)*

☑ Project Area Map (project footprint) is attached.

Please describe and detail the proposed work, disturbance, and locations:

Project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway with the worst case scenario from a project footprint perspective including the construction of a new two-lane highway adjacent to the existing roadway corridor. Project may disturb undisturbed natural draws, coulees and channels and may include extension or replacement of existing box culverts and structural plate pipes. Disturbance would include both excavation and placement of fill material.

Yes	3. Will proposed work activities be conducted on any structures?			
Structure Number	Year Built	Structure Type	Border Bridge	Proposed Work on Structure
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	
		Bridge Type	☐	

If Yes, describe any required grading or excavation disturbance locations adjacent or underneath bridge:

The limits of construction have potential for disturbance up to 700 feet outside of the right of way. The disturbance would include excavation and grading. There are no bridges, but there is a potential for impacts to concrete box culverts and structural plate pipes within the study area.

Yes	4. Will any proposed work activities be conducted within a town or city?

If Yes, describe and detail the proposed work disturbance and locations, including any streetscaping items:

Project would include work along US 52 within the city limits of Velva, North Dakota, and project tie downs may extend into the city limits of Sawyer, North Dakota.

Within the city of Velva, the project may include reconstruction and expansion of US 52. The project may also include sidewalks, lighting, signals and access modification. Relocation of homes or businesses is not anticipated.

☑ **The Project Manager below has verified the above information related to the scope of work and activities for the project action. Any project action scope change or revision (both adding or removing work) requires an updated form to be submitted to continue coordination as it relates to Section 106 and Cultural Resources.**

Project Manager Name (typed)	NDDOT Division or Consultant Firm	Email	Date
Mike Huffington	Ulteig Operations LLC	mike.huffington@ulteig.com	2/8/2024
	NDDOT Tech Support	**Email**	**Date**
	Chad Frisinger	cfrising@nd.gov	2/8/2024
	Cultural Resource Sub-Consultant	**Email**	**Date**
	Metcalf Archaeological Consultants, Inc.	dengel@metcalfarchaeology.com	2/8/2024

-Complete and email Section 106 Coordination Form to dotsection106@nd.gov (cc technical support person)

PART II. *TO BE COMPLETED BY THE NDDOT CULTURAL RESOURCE REPRESENTATIVE – NDDOT, ETS DIVISION*

☐ **Excepted Project- Is the project exempt from further review and consultation?**
Comments or description:

If Yes to "Excepted Project" above, no further Section 106 activities are required.

If No to "Excepted Project" above, complete the following APE and Identification Efforts that are needed for Section 106 Consultation and Compliance for the project action:

☐ **Right of way only**
☐ **Right of way plus 700 feet**
☐ **1,200 ft along the roadway in both directions from the center of the bridge, and 300 ft on either side of the centerline.**
☑ **Other- Describe and detail the appropriate APE to be utilized for the project actions:** The APE should utilize the blue area on the attached maps.

Identification Efforts/Level of Survey- The appropriate Level of Survey based on the submitted information for the project action
☐ **Class I Survey**
☐ **Class II Survey**
☑ **Class III Survey**
☑ **TCS Required**
☐ **Other- Describe and detail the appropriate identification effort for the project actions:**

Additional Requirements:
The Project Manager must notify the Cultural Resource Representative if any work or disturbance is found during project development to occur outside the APE defined above.

Based on the description and detail of the information submitted by the Project Manager for the scope of work and activities of the project action, the project will proceed as noted above regarding Section 106 and Cultural Resources.

NDDOT Cultural Resource Representative	Email	Date
Reilly Rae Lembo	rlembo@nd.gov	02/12/2024

Project: 4-052(109)101
PCN: 24012

02/08/2024

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		1

LEGEND

Proposed Roadway

Study Area

Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:05:18 PM JOSH.KUEBER G:\2023\23.23600\40052101.109\Design\Sheets\Study Area Sheets.dgn

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		2

LEGEND

Proposed Roadway

Study Area

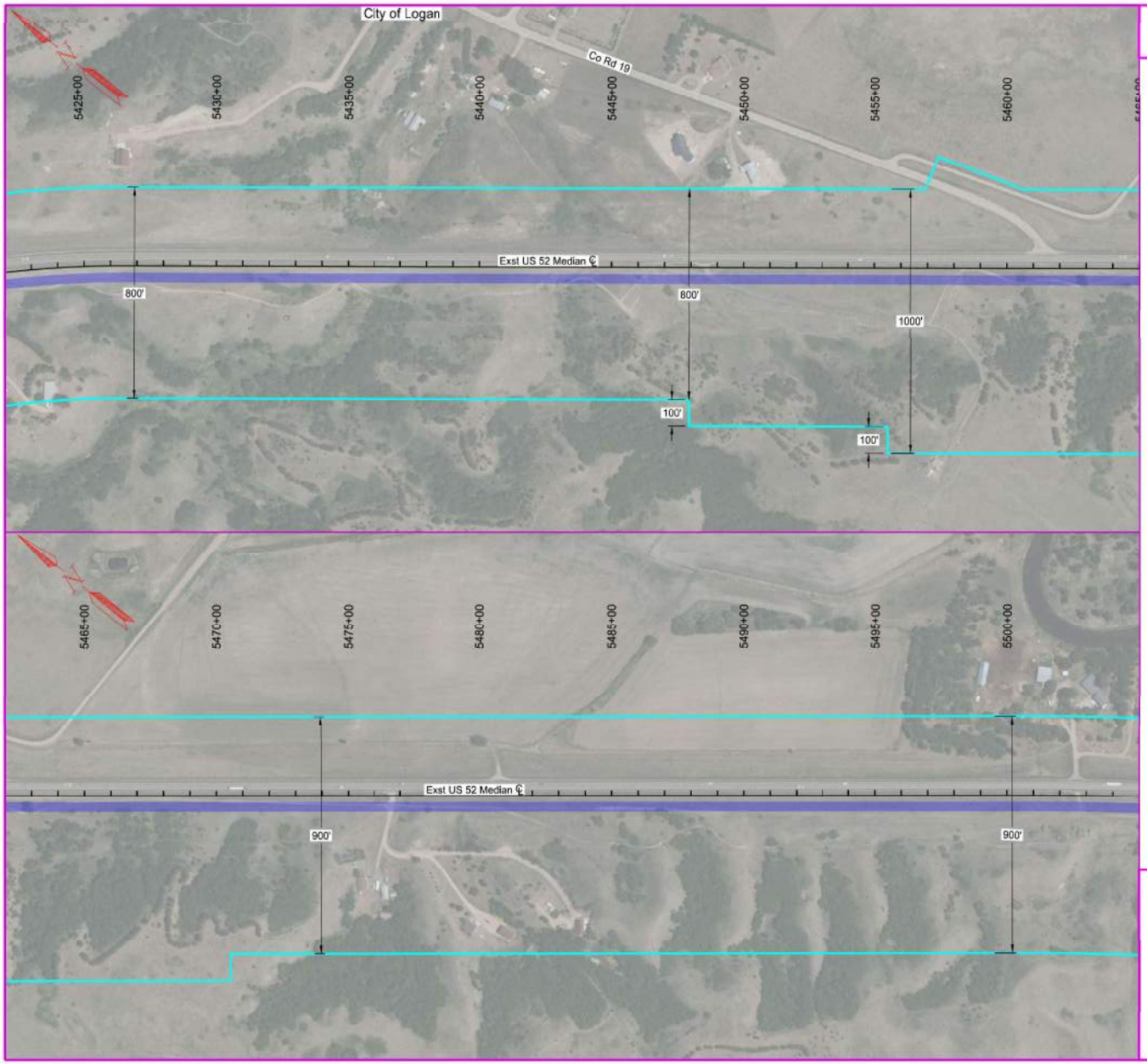
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:05:38 PM JOSH.KUEBER G:\2023\23.236004\052101.109\Design\Sheets\Study Area Sheets.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		3

LEGEND

Proposed Roadway

Study Area

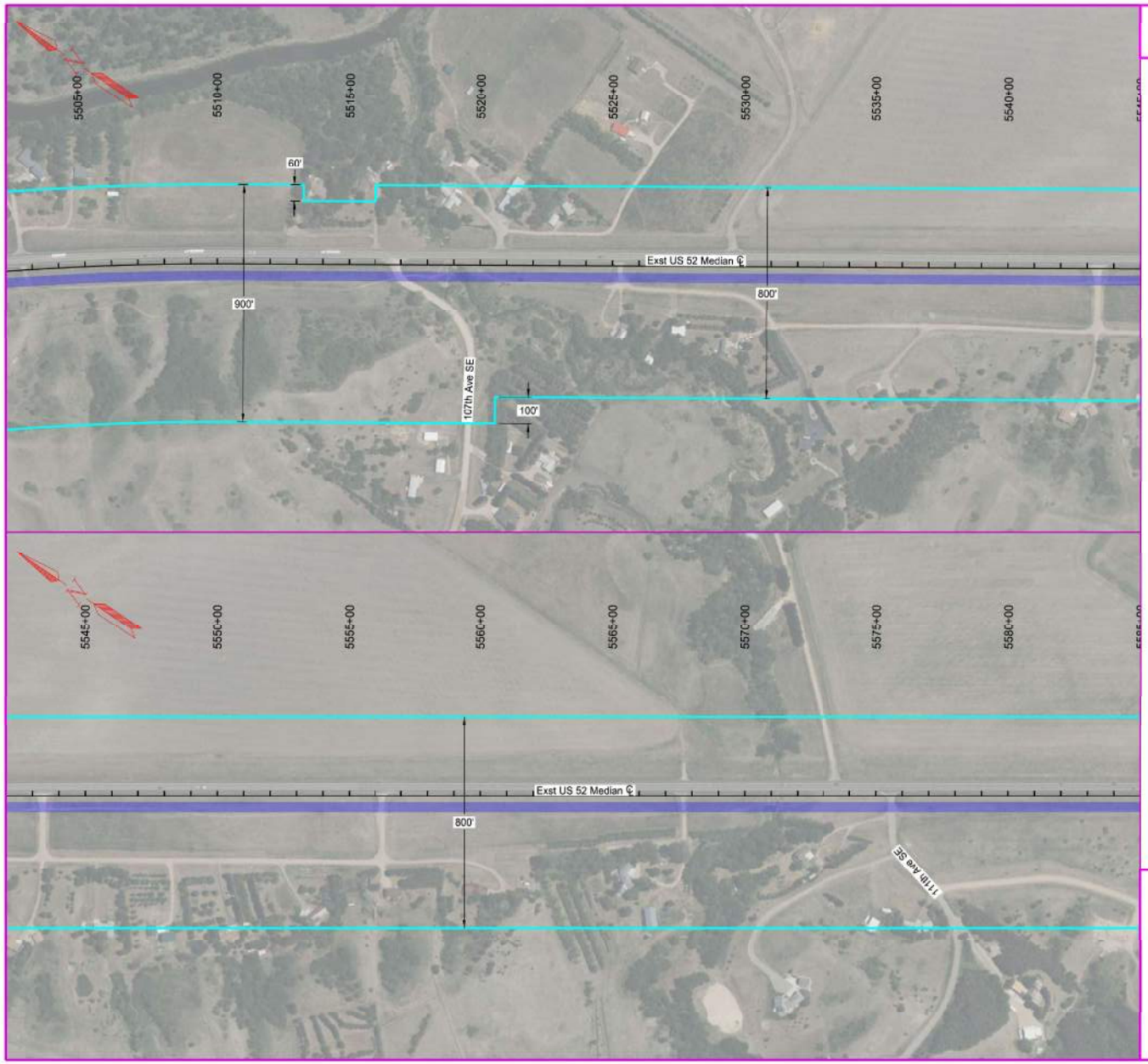
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:09:57 PM JOSH.KUEBER G:\2023\23.2360040052101.109\Design\Sheets\Study Area Sheets.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		4

LEGEND

Proposed Roadway

Study Area

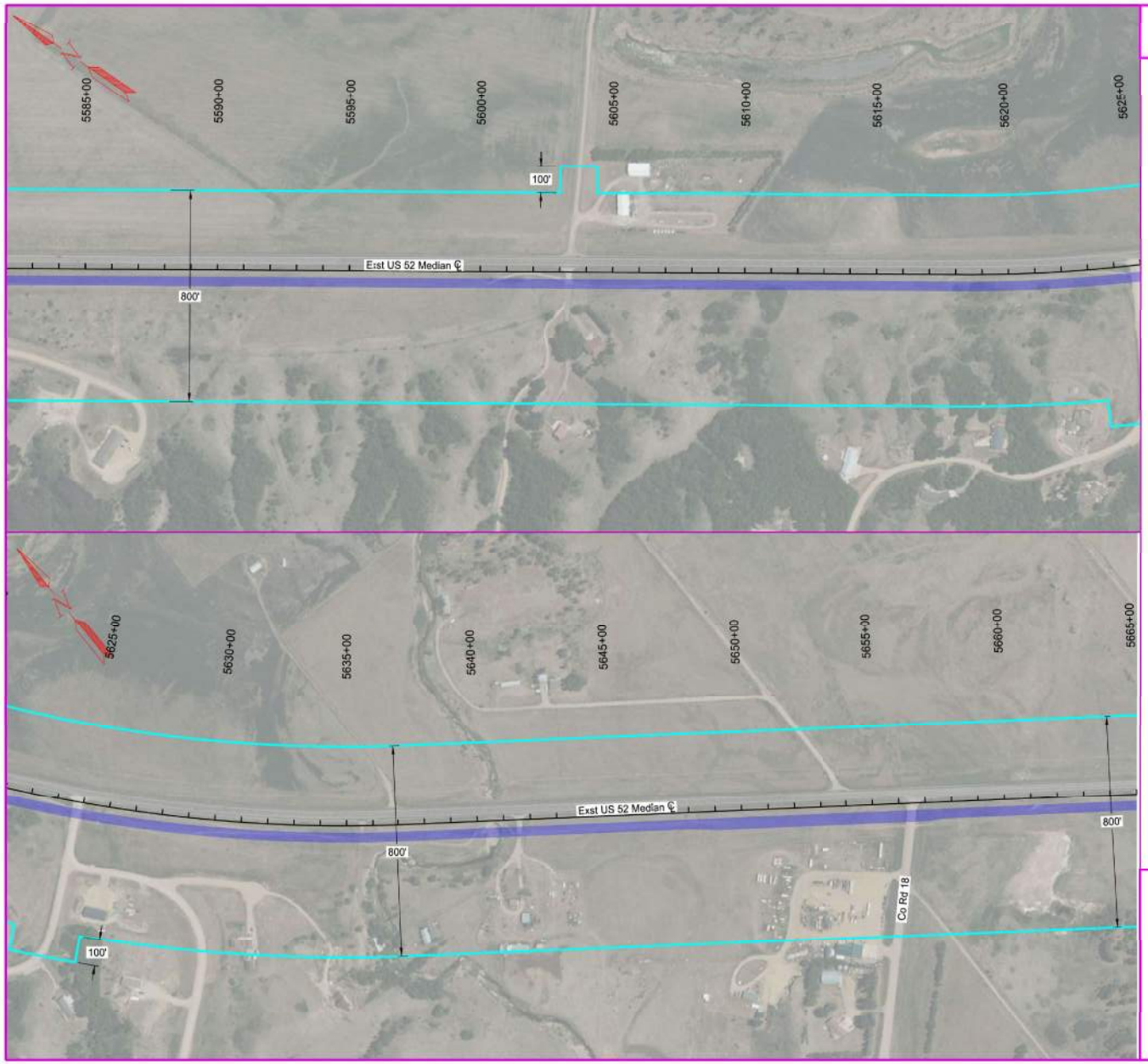
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:06:13 PM JOSH.KUEBER G:\2023\23.23600\40052101.109\Design\Sheets\Study Area Sheets.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		5

LEGEND

Proposed Roadway

Study Area

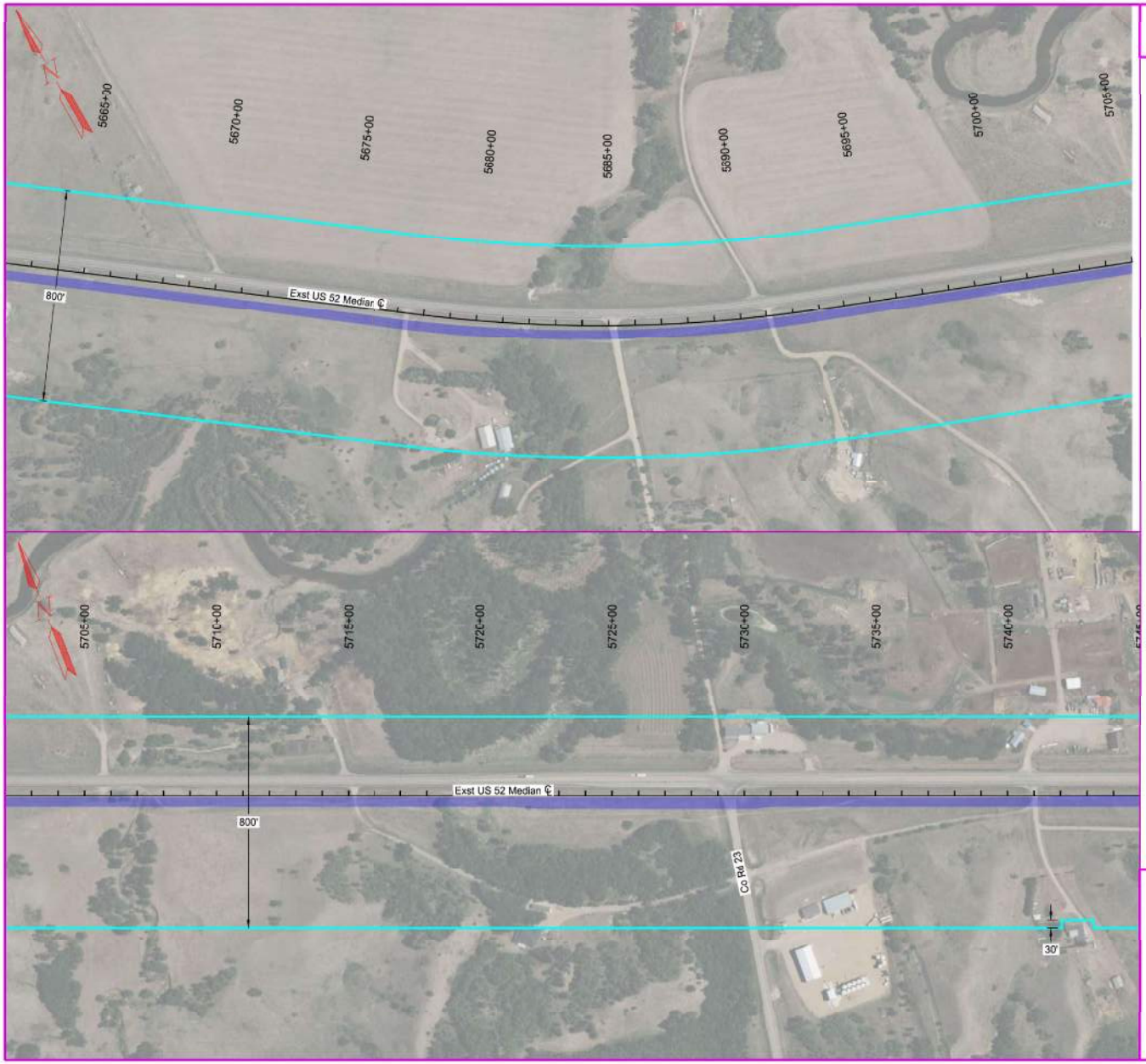
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:06:30 PM JOSH.KUEBER G:\2023\23.2360040052101.109\Design\Sheets\Study Area Sheets.dgn



	STATE	PROJECT NO.	SECTION NO.	SHEET NO.
	ND	4-052(109)101		6

LEGEND

Proposed Roadway

Study Area

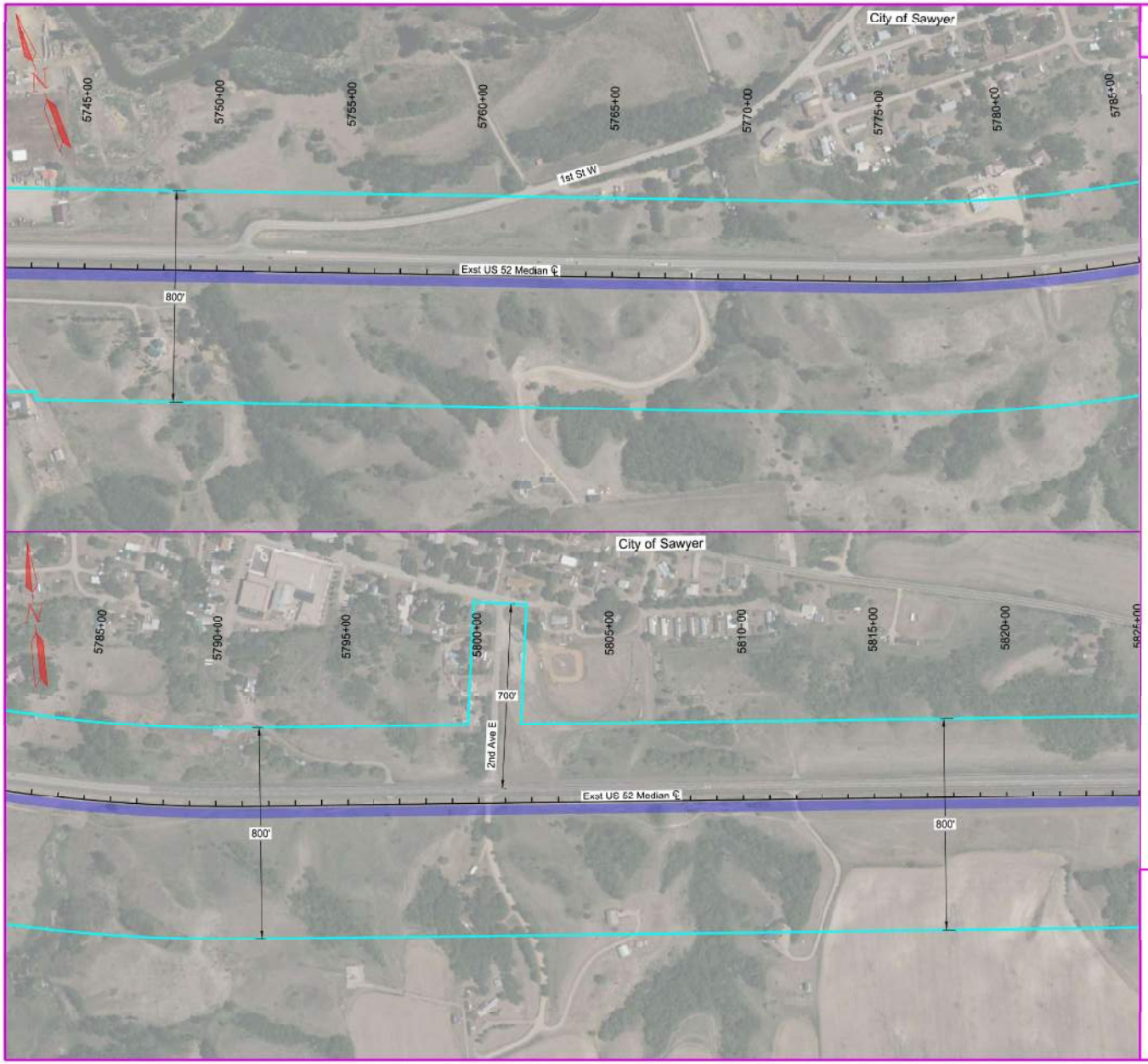
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:08:48 PM JOSH.KUEBER G:\2023\23.2360040052101.109\Design\Sheets\Study Area Sheets.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		7

LEGEND

Proposed Roadway

Study Area

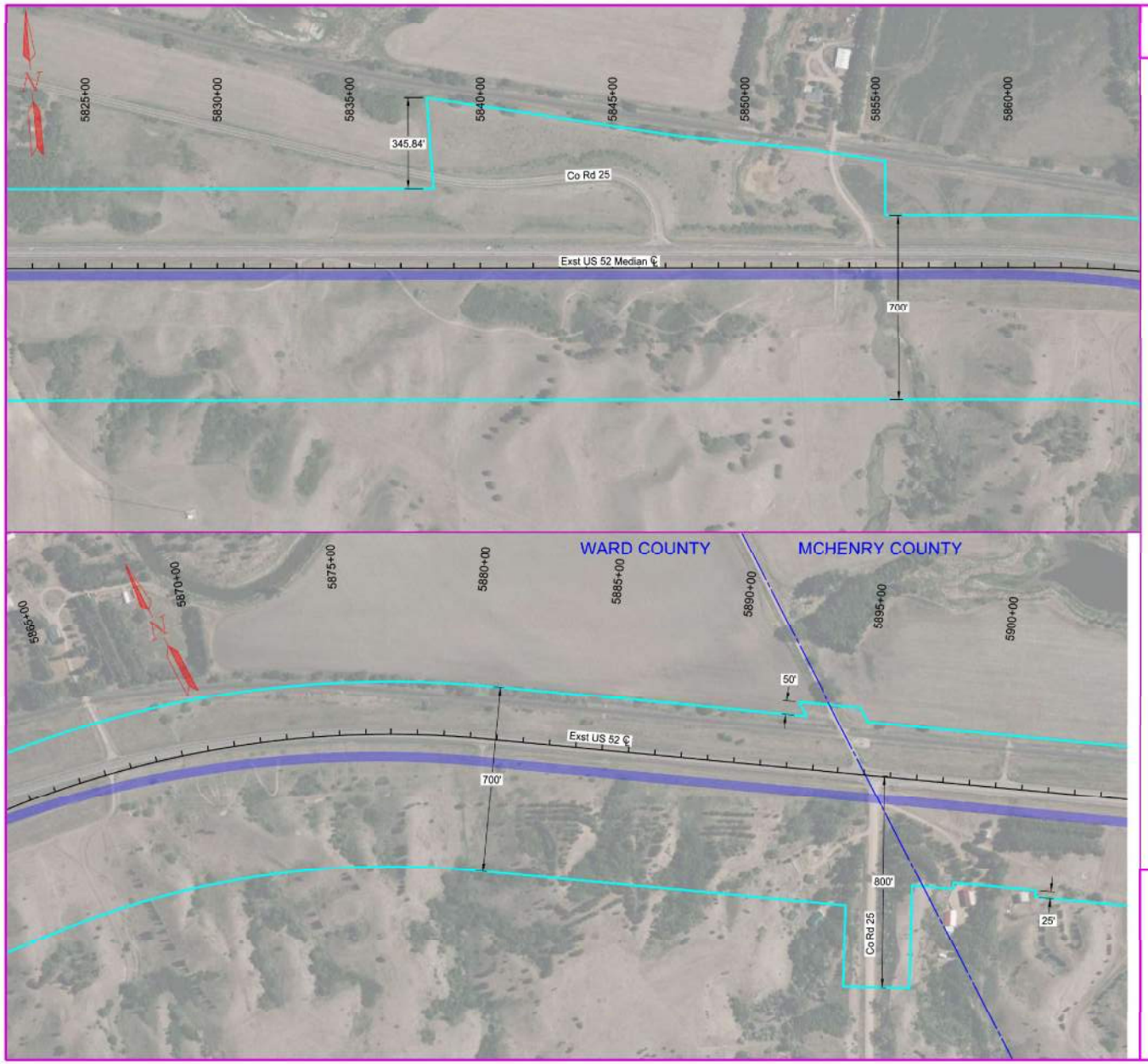
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:07:06 PM JOSH.KUEBER G:\2023\23.236004\0052101.109\Design\Sheets\Study Area Sheets.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		8

LEGEND

Proposed Roadway

Study Area

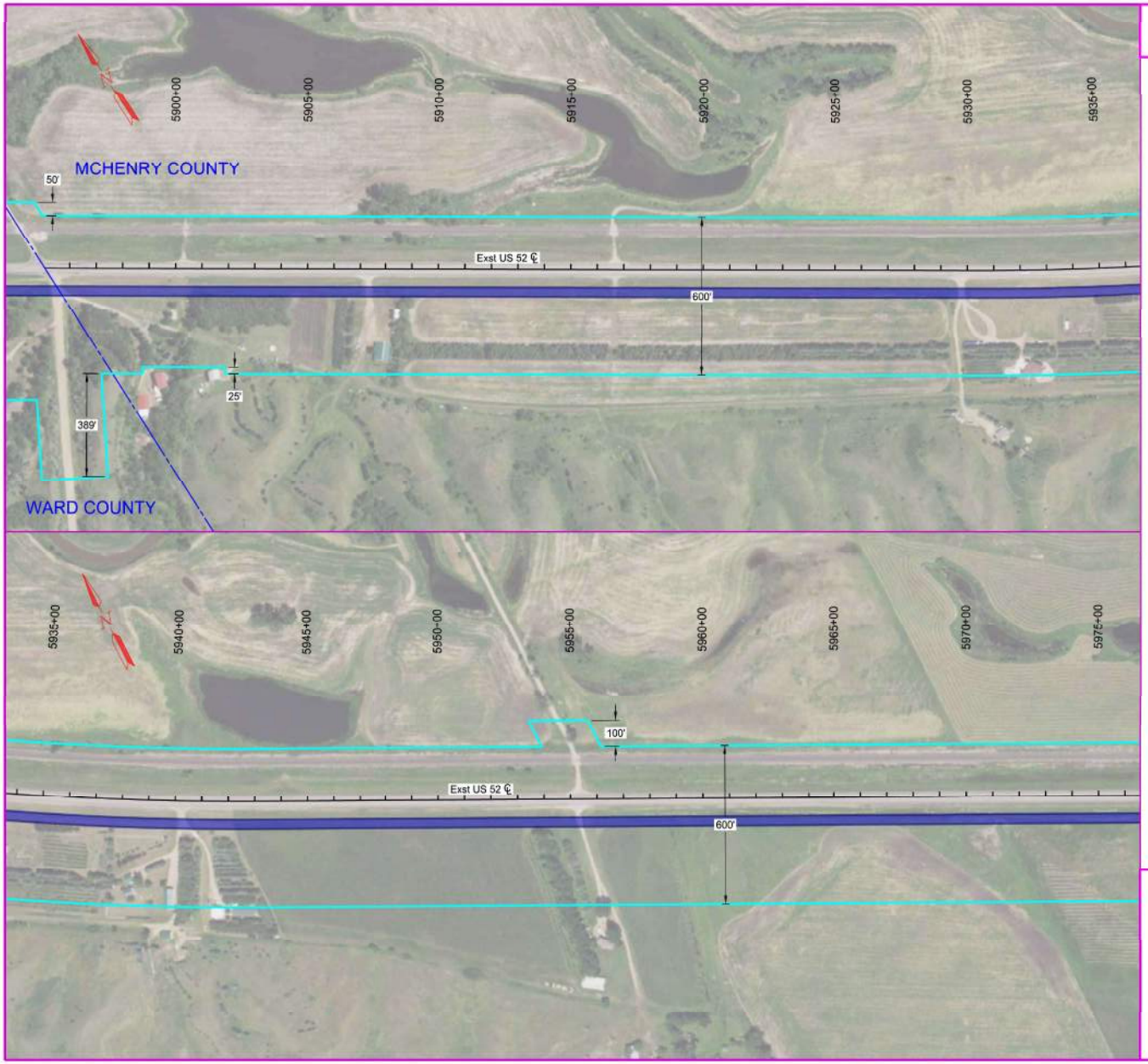
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/8/2024 2:07:22 PM JOSH.KUEBER G:\2023\23.23600\40052101.109\Design\Sheets\Study Area Sheets.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		9

LEGEND

- Proposed Roadway
- Study Area

Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:23:41 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		10

LEGEND

Proposed Roadway

Study Area

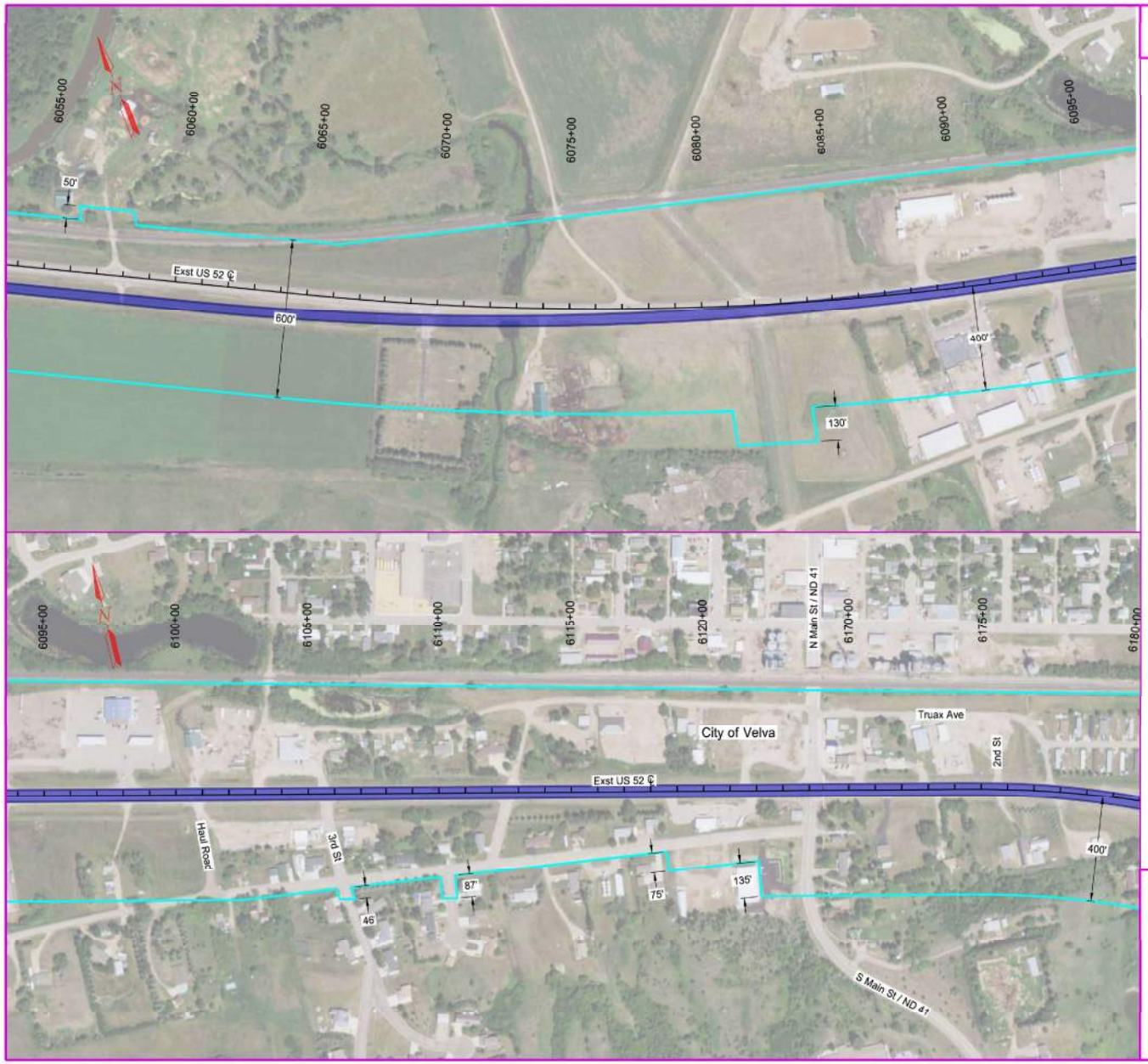
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:23:53 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		11

LEGEND

- Proposed Roadway
- Study Area

Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:24:01 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		12

LEGEND

Proposed Roadway

Study Area

Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:24:10 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn

STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		13

LEGEND

Proposed Roadway

Study Area

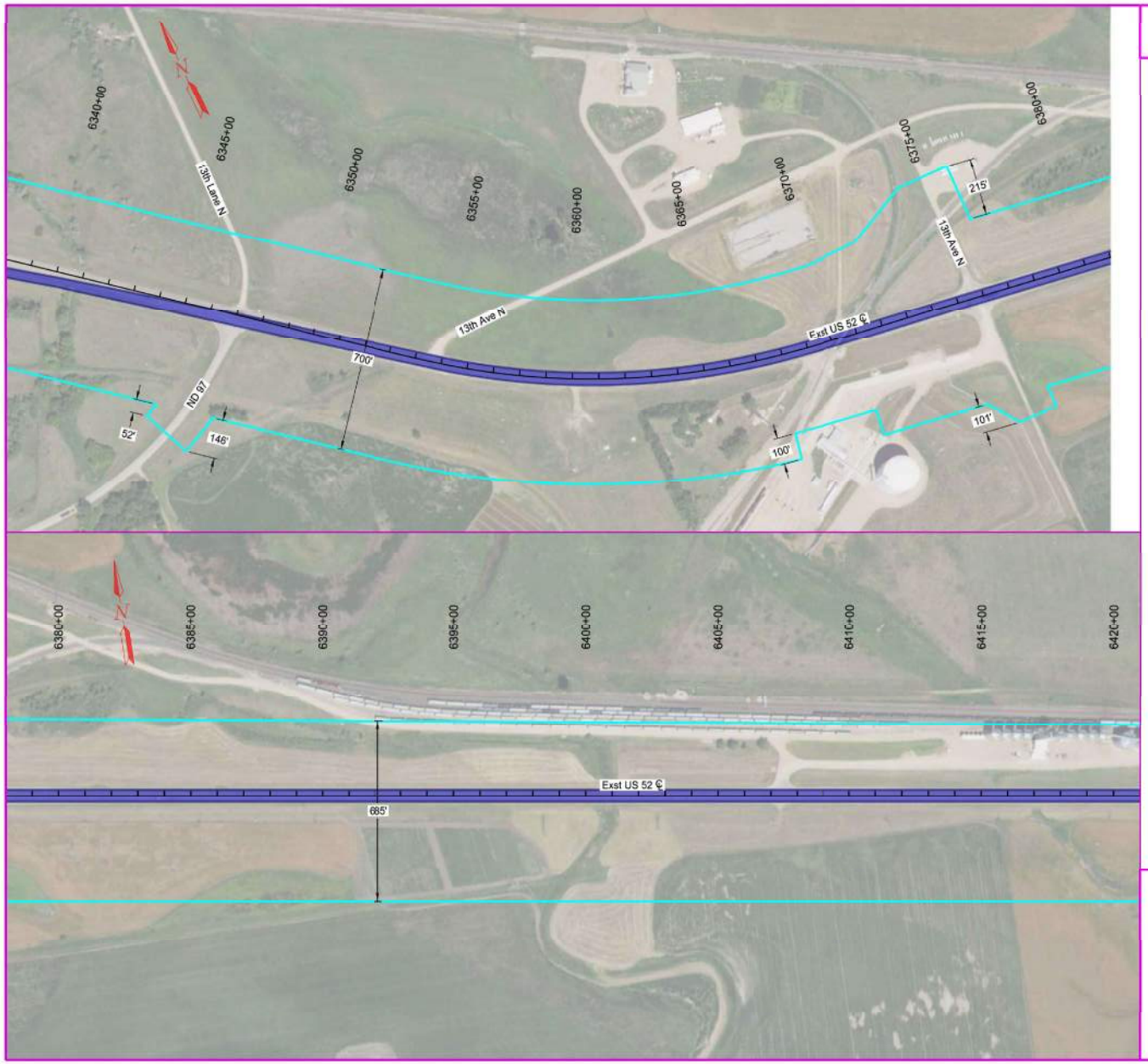
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:24:19 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		14

LEGEND

Proposed Roadway

Study Area

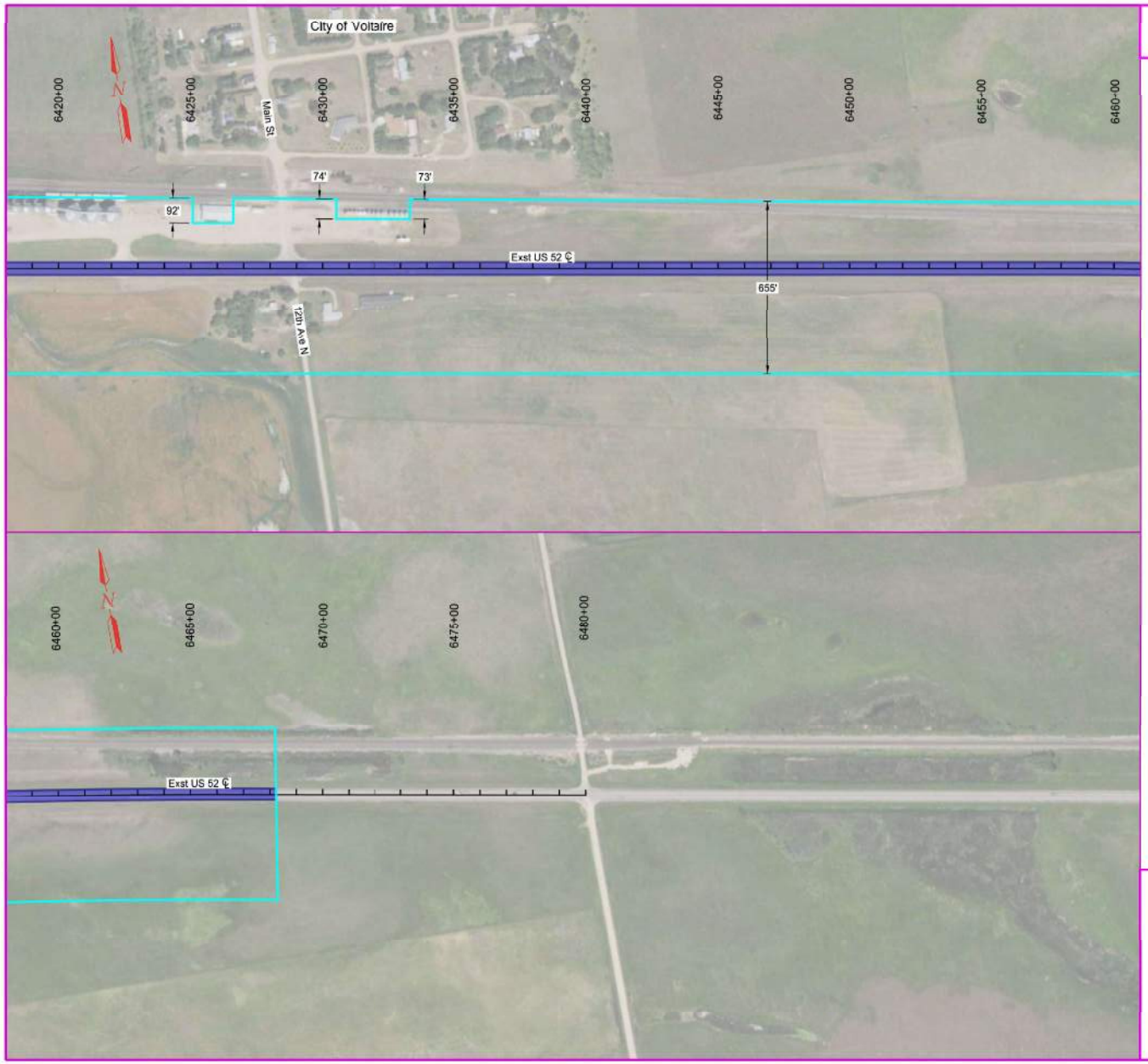
Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:24:28 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn



STATE	PROJECT NO.	SECTION NO.	SHEET NO.
ND	4-052(109)101		15

LEGEND

- Proposed Roadway
- Study Area

Study Area Exhibit

US Highway 52 Four Lane

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

PRELIMINARY

2/7/2024 3:24:35 PM Matt.Mohagen T:\Projects\2023\23.104.0145 UEI - US 52 4-Lane\Planning\Exhibits\Study Area.dgn

NORTH Dakota | Transportation
Be Legendary.™

July 9, 2025

Mr. William Peterson, PhD
ND State Historic Preservation Officer
ND Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Attn: Lisa Steckler, Project Review Coordinator

CONSULTATION ON NDDOT PROJECTS, STATE HIGHWAY SYSTEM

We are initiating consultation on the following Project. This letter is intended to give you information on the proposed project and how we intend to proceed to meet our responsibilities under Section 106 of the National Historic Preservation Act of 1966 (as revised 1992). Further, it is intended to solicit your views pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969. We would appreciate your comment on the Project and our planned cultural resource work, and discussion of any concerns you may have regarding historic properties which may be affected by the Project.

NDDOT Project #:	4-052(109)101	**PCN: 24012**		
Legal Location:	Ward and McHenry Counties	T154N	R82W	Sections 10, 14, 15, 23-25
		T154N	R81W	Sections 30-32
		T153N	R81W	Sections 4, 5, 9-13
		T153N	R80W	Sections 7, 17, 18, 20, 23, 26, 26, 36
		T153N	R79W	Section 31
		T152N	R79W	Section 6
		T152N	R80W	Sections 1, 2

Project Type: New construction, widening, re-striping, and extension or replacement of existing box culverts and structural plate pipes.

Purpose and Need: The purpose of the project is to expand the existing two-lane highway to a four-lane highway in order to accommodate current and future traffic volumes and address social and economic needs.

Project Description: Project would expand approximately 23 miles of US 52 from two lanes to four lanes between 2.3 miles west of Junction 79th Ave SE through the community of Voltaire, North Dakota. The worst case scenario from a project footprint perspective would include the construction of a new two-lane highway adjacent to the existing roadway corridor. The project may disturb undisturbed natural draws, coulees and channels and may include extension or replacement of existing box culverts and structural plate pipes. Disturbance would include both

excavation and placement of fill material.

Right-of-Way: Permanent and temporary ROW will be required for the project; however, the exact size and location of ROW needs will depend upon the selected alternative. Based on preliminary design, the amount of permanent ROW needed for the project ranges from 88 to 255 acres, and the amount of temporary ROW needed ranges from 9 to 18 acres. ROW would be acquired in linear strips along the project corridor.

APE: The APE is a corridor spanning 1,000 – 600 ft wide and approximately 22.41 miles long. It encompasses the proposed project and ROW previously mentioned.

Justification: All project effects will be within the existing ROW as well as any new contiguous ROW which was included in the Class III survey area.

Proposed Cultural Resource Work: Evaluative testing and construction monitoring (see attachment)

Justification: MAC conducted a Class III Cultural Resource Inventory and report (Engel et al 2025; ROI: 2023.ND.103) and South Fork Historical completed an Architectural Inventory and report (Sakariassen 2025) which NDDOT has reviewed and accepted. The Class I Literature Searches revealed that the site distribution is dense. Thirty-two of the previously recorded cultural resources are located within the survey area and were revisited during this inventory. Fifty-one new cultural resources were encountered within the inventory area. See attachment for the list of sites located within the APE.

Other Consulting Parties: The TCC is consulted on all NDDOT projects.

Plan for Public Involvement: SOV letters were sent to a variety of associated agencies on 4/10/2025. Various commission meetings have been held to discuss the Project.

We are requesting your concurrence with this finding of ***No Adverse Effect*** for the proposed Project as a whole. If you need further information on the proposed project, please contact me.

Sincerely,

Reilly Lembo, M.S.
Archaeologist II, NDDOT-ETS(CRS)

August 6, 2025

Reilly Lembo
ND Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

ND SHPO Ref.: 24-5411 "NDDOT Project 4-052(109)101 PCN 24012 US Highway 52 Expansion Project: A Class III Cultural Resources Inventory in Ward and McHenry Counties, North Dakota – Architectural Sites" & "NDDOT Project 4-052(109)101 PCN 24012 Highway 52 Expansion Project: A Class III Cultural Resource Inventory in Ward and McHenry Counties, North Dakota – Archaeological Sites"

Dear Reilly,

We have reviewed ND SHPO Ref.: 24-5411 "NDDOT Project 4-052(109)101 PCN 24012 US Highway 52 Expansion Project: A Class III Cultural Resources Inventory in Ward and McHenry Counties, North Dakota – Architectural Sites" & "NDDOT Project 4-052(109)101 PCN 24012 Highway 52 Expansion Project: A Class III Cultural Resource Inventory in Ward and McHenry Counties, North Dakota – Archaeological Sites" as submitted to our office on July 9, 2025. We concur with a determination of "No Adverse Effect" for this project provided avoidance, evaluation, and monitoring completed as described in the reports, and provided it takes place in the location and manner described in the documentation.

Thank you for the opportunity to review this project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577, e-mail lsteckler@nd.gov

Sincerely,

for William D. Peterson, PhD
State Historic Preservation Officer
(North Dakota)

24-5411

NORTH Dakota | Transportation
Be Legendary.™

January 6, 2026

Mr. William Peterson, PhD
ND State Historic Preservation Officer
ND Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Attn: Lisa Steckler, Project Review Coordinator

CONSULTATION ON NDDOT PROJECTS, STATE HIGHWAY SYSTEM

We are initiating consultation on the following Project. This letter is intended to give you information on the proposed project and how we intend to proceed to meet our responsibilities under Section 106 of the National Historic Preservation Act of 1966 (as revised 1992). Further, it is intended to solicit your views pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969. We would appreciate your comment on the Project and our planned cultural resource work, and discussion of any concerns you may have regarding historic properties which may be affected by the Project.

NDDOT Project #:	4-052(109)101	**PCN: 24012**		
Legal Location:	Ward and McHenry Counties	T154N	R82W	Sections 10, 14, 15, 23-25
		T154N	R81W	Sections 30-32
		T153N	R81W	Sections 4, 5, 9-13
		T153N	R80W	Sections 7, 17, 18, 20, 23, 26, 36
		T153N	R79W	Section 31
		T152N	R79W	Section 6
		T152N	R80W	Sections 1, 2

Project Type: New construction, widening, re-striping, and extension or replacement of existing box culverts and structural plate pipes.

Purpose and Need: The purpose of the project is to expand the existing two-lane highway to a four-lane highway in order to accommodate current and future traffic volumes and address social and economic needs.

Project Description: Project would expand approximately 23 miles of US 52 from two lanes to four lanes between 2.3 miles west of Junction 79th Ave SE through the community of Voltaire, North Dakota. The worst-case scenario from a project footprint perspective would include the construction of a new two-lane highway adjacent to the existing roadway corridor. The project may disturb undisturbed natural draws, coulees, and channels, and may include extension or replacement of existing box culverts and structural plate pipes. Disturbance would include both

excavation and placement of fill material.

Right-of-Way: Permanent and temporary ROW will be required for the project; however, the exact size and location of ROW needs will depend upon the selected alternative. Based on preliminary design, the amount of permanent ROW needed for the project ranges from 88 to 225 acres, and the amount of temporary ROW needed ranges from 9 to 18 acres. ROW would be acquired in linear strips along the project corridor.

APE: The APE is a corridor spanning 1,000-600ft wide and approximately 22.41 miles long. It encompasses the proposed project and ROW previously mentioned. The APE was surveyed under MS#s 020408, 020982, and 020983. These inventories included the geotechnical boring locations, the architectural sites located within the APE, as well as the Class III survey done for the entire corridor.

Justification: A Class III survey was conducted for the APE and submitted to NDSHPO on July 9th, 2025, and received concurrence on a finding of No Adverse Effect with the stipulation that archaeological testing be conducted on 6 sites. The testing plan was approved by NDSHPO prior to the beginning of the excavation.

Proposed Cultural Resource Work: Cultural Monitoring for sites 32WD137, 32WD138, and 32WD139. Additionally, 32WD138 will need to be avoided as it is recommended Eligible for the NRHP.

Justification: MAC conducted Evaluative Testing and wrote a report (Snortland et al 2025; ROI: 2023.ND.103 [LK237103])) which NDDOT has reviewed and accepted. Evaluative testing was conducted on six sites and two isolated finds: 32MH483, 32WD134, 32WD137, 32WD138, 32WD139, 32WD394, 32WDx828, and 32WDx829.

As shown in the table below, only one site is recommended as Eligible for the NRHP – 32WD138. This site will require avoidance which will be accomplished by shifting the proposed alignment further to the south. However, a small amount of fill is needed in order to tie the existing driveway to the new road. No excavation or topsoil removal will be taking place. Additionally, a cultural monitor will need to be present for initial dirt work conducted near sites 32WD137, 32WD138, and 32WD139.

Table X1: Summary of NRHP eligibility and further work recommendations.

Site Number	Site Type	NRHP Eligibility	Recommendation
32MH483	Archaeological Cultural Material Scatter	Not Eligible	No further work or avoidance necessary
32WD134	Historical archaeological farmstead	Not Eligible	No further work or avoidance necessary
32WD137	Archaeological Cultural Material Scatter	Not Eligible	Monitoring
32WD138	Archaeological Cultural Material Scatter	Eligible	Avoidance and monitoring
32WD139	Archaeological Cultural Material Scatter	Not Eligible	Monitoring
32WD394	Archaeological Cultural Material Scatter	Not Eligible	No further work or avoidance necessary
32WDx828	Archaeological Isolate	Not Eligible	No further work or avoidance necessary
32WDx829	Archaeological Isolate	Not Eligible	No further work or avoidance necessary

Section 4(f) Official with Jurisdiction (OWJ): Site 32WD138 qualifies for Section 4(f) protection per 23 CFR 774 since the site is a NRHP eligible cultural resource. NDDOT intends to utilize exception 23 CFR 774.13(B)(1) that applies to archaeological sites when the proposed work does not adversely affect the historic qualities of the site. Upon receipt of NDSHPO concurrence with NDDOT's Section 106 "No Adverse Effect" determination and completion of the Section 106 Coordination process, the Section 4(f) exception requirements are fulfilled. NDSHPO concurrence will be reported in the environmental document for fulfillment of the Section 106 and Section 4(f) coordination processes.

Other Consulting Parties: The TCC was consulted on this project multiple times including at the most recent TCC meeting in September 2025.

Plan for Public Involvement: SOV letters were sent to a variety of associated agencies on 4/10/2025. Various commission meetings have been held to discuss the Project.

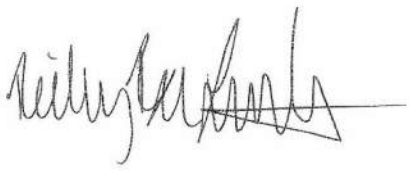
We are requesting your concurrence with this finding of ***No Adverse Effect*** for the proposed Project as a whole.

Additionally, we are requesting a consensus determination for the eligibility of the tested sites, as follows:

Site 32MH483 – Not Eligible
Site 32WD134 – Not Eligible
Site 32WD137 – Not Eligible
Site 32WD138 – Eligible
Site 32WD139 – Not Eligible
Site 32WD394 – Not Eligible
Site 32WDx828 – Not Eligible
Site 32WDx829 – Not Eligible

If you need further information on the proposed project, please contact me.

Sincerely,



Reilly Lembo, M.S.
Archaeologist II, NDDOT-ETS(CRS)

January 20, 2026

Reilly Lembo
ND Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

ND SHPO Ref.: 24-5411 "Testing and Evaluation of Six Sites Along the U.S. Highway 52 Corridor in Ward and McHenry Counties, North Dakota" in portions of [T154N R81W Section 30] [T153N R81W Section 4, 9, 10, 12] [T153N R80W Section 18] MAC 2023.ND.103 LK237103

We have reviewed ND SHPO Ref.: 24-5411 "Testing and Evaluation of Six Sites Along the U.S. Highway 52 Corridor in Ward and McHenry Counties, North Dakota" in portions of [T154N R81W Section 30] [T153N R81W Section 4, 9, 10, 12] [T153N R80W Section 18] MAC 2023.ND.103 LK237103 as submitted to our office on January 7, 2026, and find the report by J. Signe Snortland, Michael A. Jackson, Damita Engel, Andrew Reinhard and Kimball Banks acceptable. We concur with a determination of "No Adverse Effect" for this project provided it takes place in the location and manner described in the documentation, and provide all stipulations are followed including monitoring, fencing, and avoidance. We look forward to reviewing the monitoring report upon completion.

We further concur with the following determinations:
Site 32MH483 – Not Eligible
Site 32WD134 – Not Eligible
Site 32WD137 – Not Eligible
Site 32WD138 – Eligible
Site 32WD139 – Not Eligible
Site 32WD394 – Not Eligible
Site 32WDx828 – Not Eligible
Site 32WDx829 – Not Eligible

Thank you for the opportunity to review this project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577, e-mail lsteckler@nd.gov

Sincerely,

for William D. Peterson, PhD
State Historic Preservation Officer
(North Dakota)

24-5411

Appendix D, Section 4(f) Documentation

NORTH Dakota | Transportation
Be Legendary.

January 7, 2026

Dale Deibert
Snowmobile North Dakota
PO Box 99
Surrey, ND 58785

Subject: PROJECT NO. 4-052(109)101, PCN 24012, MINOT TO E OF VOLTAIRE
US Highway 52 - Snowmobile Trail

Dear Mr. Deibert,

The North Dakota Department of Transportation (NDDOT) in cooperation with Federal Highway Administration (FHWA), is proposing a roadway expansion project on US Highway 52. The project extends from near Minot to east of Voltaire in Ward and McHenry Counties. Funding for construction has not yet been identified; therefore, a construction date is not available at this time. The earliest anticipated construction date would be spring 2027.

An existing snowmobile trail (i.e., Sno-Trails Snowmobile Trail) was identified within the proposed project limits between Sawyer and Velva. The snowmobile trail provides a recreation opportunity for individuals in the surrounding area. The snowmobile trail is listed on the Snowmobile North Dakota trail map as occurring within NDDOT right-of-way and it would be impacted by the proposed project.

The two build alternatives under consideration for the project (i.e., Alternative B and Alternative C) propose expanding US Highway 52 from a two lane highway into a four lane highway. Alternative B, a depressed center median, and Alternative C, a flush paved center median, are being analyzed across six segments established along the project corridor (see enclosed Project Segments Map). The snowmobile trail would be impacted by Alternatives B and C in Segments 2, 3, and 4 due to the widening of the roadway along the ditch to the south of US Highway 52 (see enclosed Section 4(f) Properties Map). Completion of the project would result in flat ditch bottoms, where applicable, which would follow a route similar to the existing snowmobile trail. The use of riprap in the ditch is necessary in various locations for the proposed roadway improvements. Final design of the preferred build alternative would ensure the riprap does not block or prevent use of the route by trail users, the trail remains functional, and connectivity is maintained between Sawyer and Velva.

The snowmobile trail is protected under Section 4(f) of the Department of Transportation Act of 1966. 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, FHWA has identified various exceptions to the requirement for Section 4(f) approval including the exception found at 23 CFR 774.13 f(3). This exception applies when the use of the Section 4(f) property occurs on trails, paths, bikeways, and sidewalks that occupy a transportation facility right-of-way without limitation to any specific location within that right-of-way, so long as the continuity of the trail, path, bikeway, or sidewalk is maintained.

To apply the exception found at 23 CFR 774.13 f(3), the official(s) with jurisdiction over the Section 4(f) resource (i.e., Snowmobile North Dakota and the snowmobile trail, respectively) must agree that, at this particular location, occupies a transportation facility right-of-way without limitation to any specific location within that right-of-way, and that the continuity of the trail, path, bikeway, or sidewalk will be maintained. Based on the review of the area, design discussions with Snowmobile North Dakota, and the surrounding land use of the trail, this appears to be the case.

Request of Concurrence

NDDOT requests concurrence from Snowmobile North Dakota that the identified snowmobile trail occupies a transportation facility right-of-way without limitation to any specific location within the right-of-way and the continuity of the trail, path, bikeway, or sidewalk will be maintained, which therefore would allow FHWA to apply the 23 CFR 774.13 f(3) exception.

Please provide your written concurrence by January 28, 2026. We appreciate your attention and response. 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
Environmental Services 1 Section Leader, Environmental Services Leader

cl/ws

Enclosure(s): Project Segments Map, Section 4(f) Properties Map

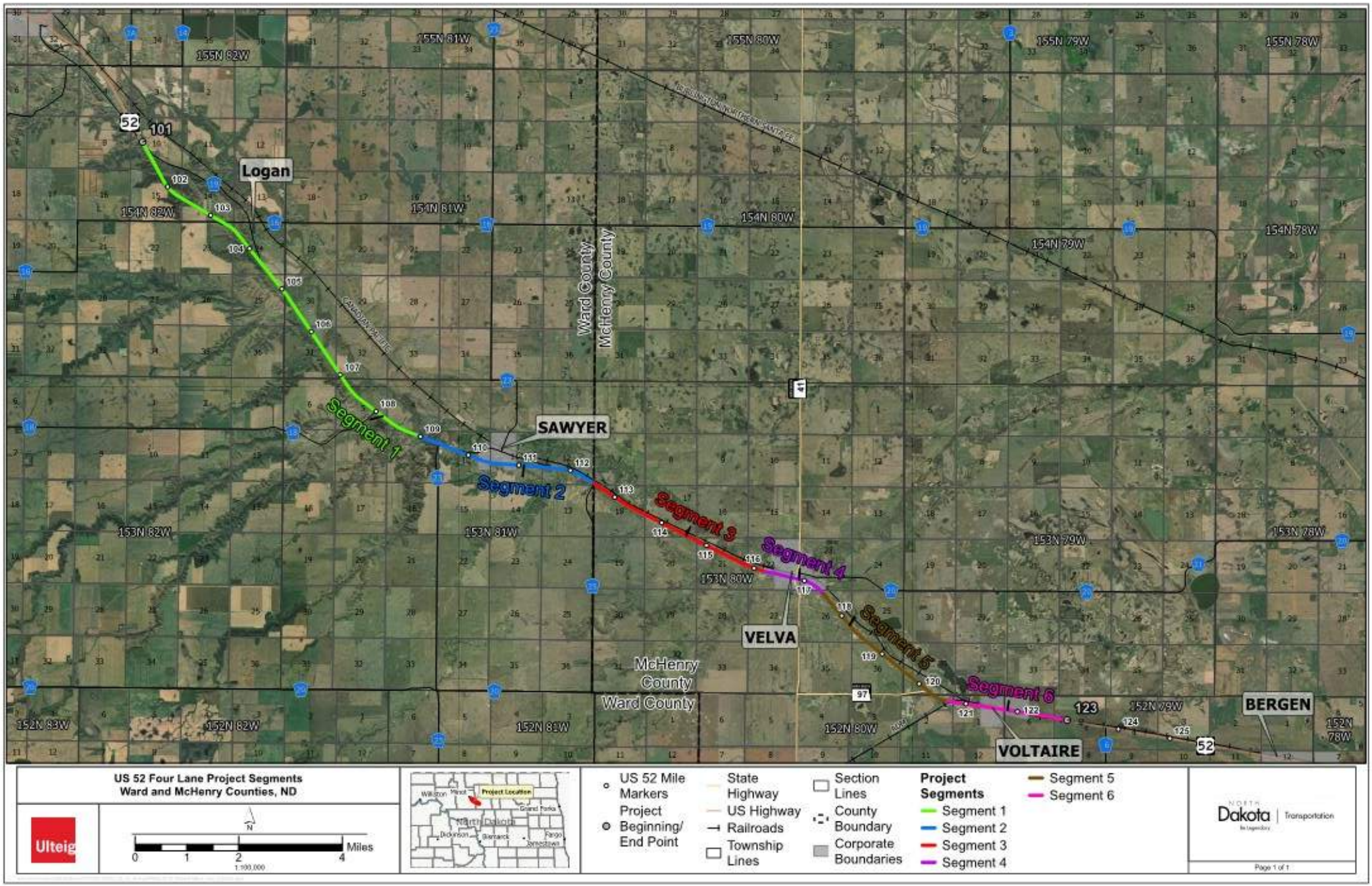
Motor Vehicle
JAN 28 2026
MM

Concurrence

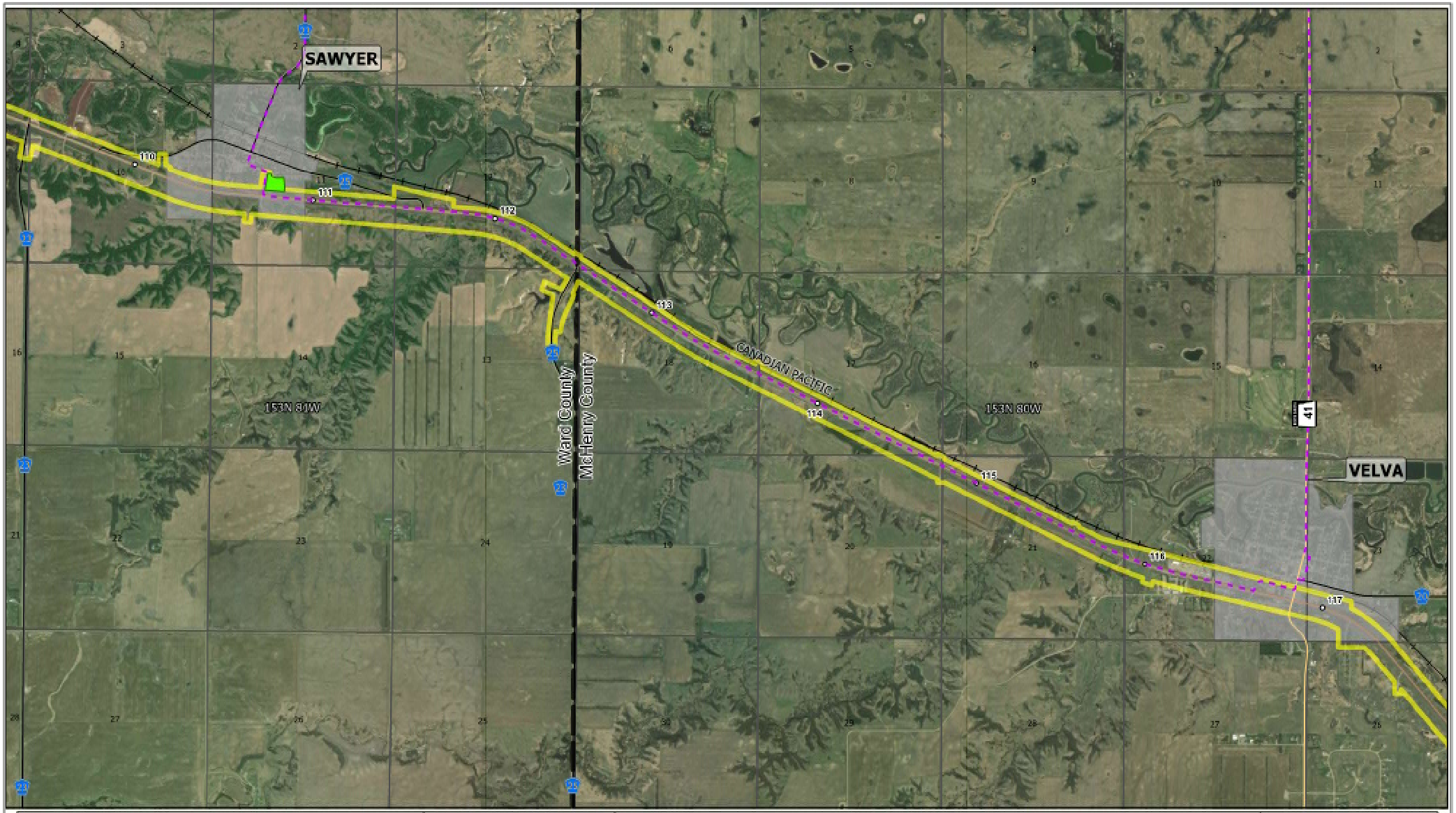
Snowmobile North Dakota has consulted with NDDOT and hereby concurs that the snowmobile trail occupies a transportation facility right-of-way without limitation to any specific location within the right-of-way and the continuity of the trail, path, bikeway, or sidewalk is maintained at the location described and shown in the appended exhibit, which therefore allows NDDOT to apply 23 CFR 774.13 f(3) Exception and proceed with the proposed project as planned.

Dale Dalbert — Snowmobile North Dakota

1-23-26 — Date



Logan
SAWYER
VELVA
VOLTAIRE
BERGEN
Segment 1
Segment 2
Segment 3
Segment 4
Segment 5
Segment 6
Ward County
McHenry County
155N 82W
155N 81W
155N 80W
155N 79W
155N 78W
154N 82W
154N 81W
154N 80W
154N 79W
154N 78W
153N 82W
153N 81W
153N 80W
153N 79W
153N 78W
152N 83W
152N 82W
152N 81W
152N 80W
152N 79W
152N 78W
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
52
41
97
US 52 Four Lane Project Segments
Ward and McHenry Counties, ND
Ulteig
N
0
1
2
4
Miles
1:100,000
Williston
Minot
Project Location
Grand Forks
North Dakota
Dickinson
Bismarck
Fargo
Jamestown
US 52 Mile Markers
Project Beginning/ End Point
State Highway
US Highway
Railroads
Township Lines
Section Lines
County Boundary
Corporate Boundaries
Project Segments
Segment 1
Segment 2
Segment 3
Segment 4
Segment 5
Segment 6
North Dakota Transportation
Page 1 of 1


SAWYER
VELVA
Ward County
McHenry County
CANADIAN PACIFIC
153N 80W
153N 80W
110
111
112
113
114
115
116
117
41
US 52 Four Lane Section 4(f) Properties
Ward and McHenry Counties, ND
Ulteig
N
0
0.25
0.5
1
Miles
1:30,000
Project Location
Williston
Minot
Grand Forks
North Dakota
Dickinson
Bismarck
Fargo
Jamestown
US 52 Mile Markers
State Highway
US Highway
Railroads
Township Lines
Section Lines
County Boundary
Corporate Boundaries
Study Area
SnoTrails Snowmobile Trail
Sawyer Baseball Diamond
NORTH Dakota Transportation
Page 1 of 1

NORTH Dakota | Transportation
Be Legendary.

January 15, 2026

Heather Ell

Attn: Sawyer Public School District

25 1st Ave SW
Sawyer, ND 58781

Subject: PROJECT NO. 4-052(109)101, PCN 24012 – US Highway 52 – Minot to East of Voltaire, Sawyer Baseball Diamond

Dear Heather Ell:

The North Dakota Department of Transportation, in cooperation with the Federal Highway Administration (FHWA), is proposing a roadway expansion on US Highway 52 from Reference Point (RP) 101.20 to RP 123.00, totaling approximately 22 miles. The project extends from near Minot to east of Voltaire in Ward and McHenry counties. Funding for construction has not yet been identified; therefore, a construction date is not available at this time. The earliest anticipated construction date would be spring 2027.

The Sawyer Baseball Diamond was identified within the proposed project limits. The baseball diamond provides a recreation opportunity for Sawyer Public School District stakeholders and the public in the surrounding area.

The two build alternatives under consideration for the project (i.e., Alternative B and Alternative C) propose expanding US Highway 52 from a two-lane highway into a four-lane highway. Alternative B, a depressed center median, and Alternative C, a flush paved center median, are being analyzed across six segments established along the project corridor (see enclosed Project Segments Map). The baseball diamond would be temporarily impacted by Alternative B, if selected, in Segment 2 due to roadway improvements to the north of US Highway 52 (see enclosed Sawyer Baseball Diamond Impacts Map). The impacts would be to aid in the constructability of the project, whereby the area may be subject to stockpiling of topsoil, placement of erosion control devices, and movement of construction equipment. Following construction, the area would be restored to pre-construction conditions including regrading and reseeding of any disturbed areas.

The Sawyer Baseball Diamond is protected under Section 4(f) of the Department of Transportation Act of 1966 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) pertains to temporary occupancies of land that are so minimal as

to not constitute a use based on 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.*

   The project is anticipated to span two construction seasons. The Sawyer Baseball Diamond will be occupied for approximately one construction season (e.g., April to November) during the construction of the project. A temporary construction easement would be required during construction activities; no change in ownership would occur.

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 to the Sawyer Baseball Diamond property would occur during construction of Alternative B, if selected. All proposed work on the property would be restricted to the temporary construction easement. The temporary easement would be approximately 0.27 acres in a linear strip on the south side of the of the property. The remaining 4.87 acres of the property would not be impacted. The area may be subject to temporary stockpiling of topsoil, placement of erosion control devices, and movement of construction equipment. Following construction, the area would be restored to pre-construction conditions including regrading and reseeding of any disturbed areas.

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 to the Sawyer Baseball Diamond would occur as a result of the project. Temporary impacts to the property within the construction easement would not interfere with any activities, features, or attributes of the property. Access to Sawyer Baseball Diamond would be maintained during construction.

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.*

   Following construction, the area would be restored to pre-construction conditions including regrading and reseeding of any disturbed areas.

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 Sawyer Public School District regarding the outlined conditions. It is our opinion that, due to the temporary and minimal nature of the project impacts, the proposed project is excluded from the requirements of Section 4(f) authorization.

<u>Request for Concurrence</u>
NDDOT requests concurrence from Sawyer Public School District that the proposed project meets conditions 1 through 5 above, will not have an “adverse effect” on the Sawyer Baseball Diamond, 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.

Please provide your written concurrence by **January 29, 2026.** We would greatly appreciate your immediate attention and response. 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,

Alyssa Wanek, for

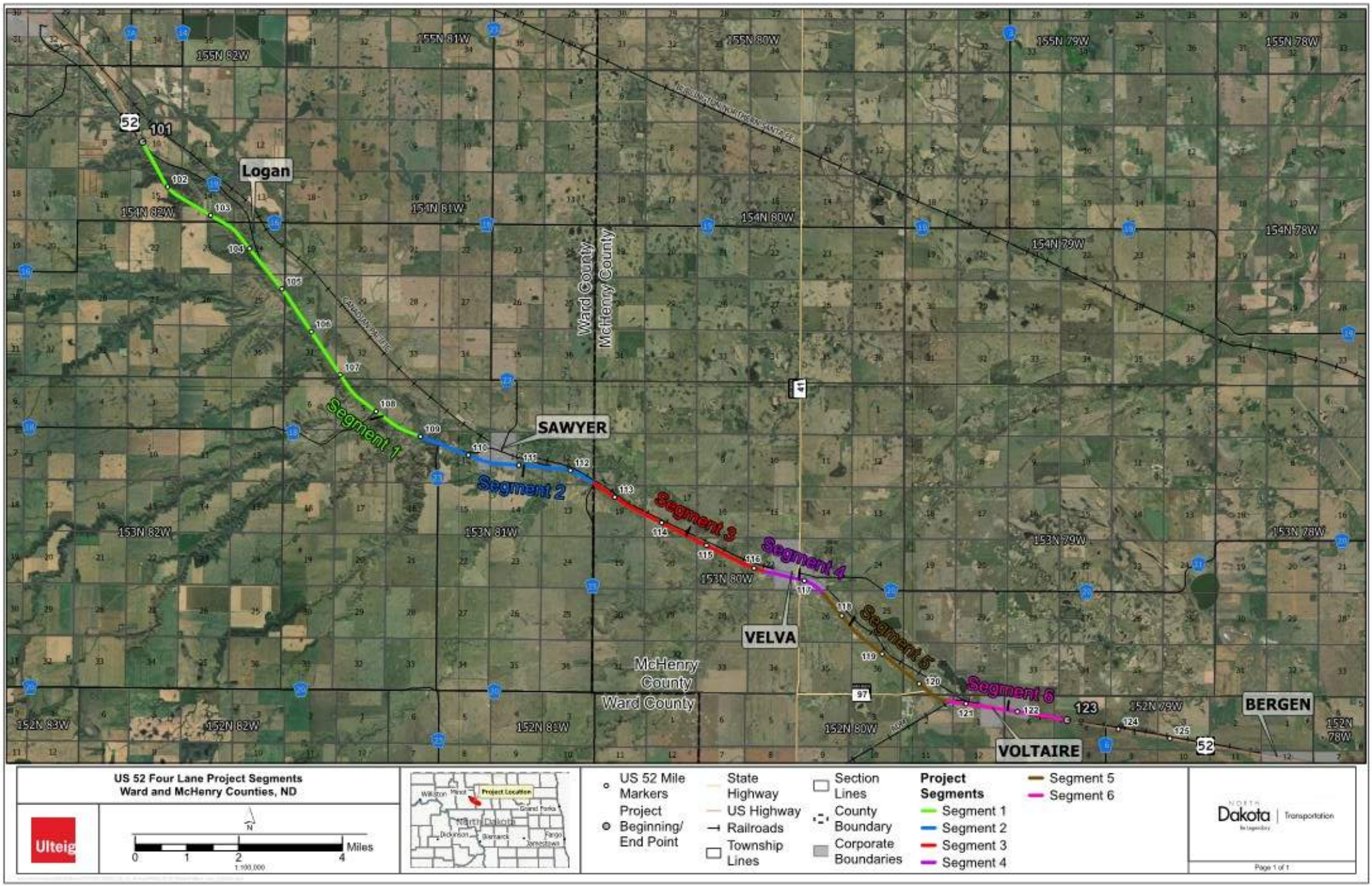
Cory Lawson
Environmental Services

cl/ws

Concurrence
The official(s) having jurisdiction has consulted with NDDOT regarding the impacts to the Sawyer Baseball Diamond 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.

Sawyer Public School District — 26 JAN 2026 — Date
SCHOOL BOARD PRESIDENT

Enclosure(s): Project Segments Map, Sawyer Baseball Diamond Impacts Map



Logan
SAWYER
VELVA
VOLTAIRE
BERGEN
Segment 1
Segment 2
Segment 3
Segment 4
Segment 5
Segment 6
Ward County
McHenry County
155N 82W
155N 81W
155N 80W
155N 79W
155N 78W
154N 82W
154N 81W
154N 80W
154N 79W
154N 78W
153N 82W
153N 81W
153N 80W
153N 79W
153N 78W
152N 83W
152N 82W
152N 81W
152N 80W
152N 79W
152N 78W
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
52
41
97
US 52 Four Lane Project Segments
Ward and McHenry Counties, ND
Ulteig
N
0
1
2
4
Miles
1:100,000
Williston
Minot
Project Location
Grand Forks
North Dakota
Dickinson
Bismarck
Fargo
Jamestown
US 52 Mile Markers
Project Beginning/ End Point
State Highway
US Highway
Railroads
Township Lines
Section Lines
County Boundary
Corporate Boundaries
Project Segments
Segment 1
Segment 2
Segment 3
Segment 4
Segment 5
Segment 6
North Dakota Transportation
Page 1 of 1

US 52 Four Lane Sawyer Baseball Diamond Impacts
Ward and McHenry Counties, ND

Ulteig

N

0 75 150 300 US Feet

1:1,200

US Highway
Temporary Easement
ROW Acquisition
Existing ROW Ward County
Sawyer Baseball Diamond
Temporary Easement Within Baseball Diamond

North Dakota | Transportation

Appendix E, Prime and Unique Farmland Documentation

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 1/22/26	4. Sheet 1 of 6
1. Name of Project **US 52 Four Lane**	5. Federal Agency Involved **FHWA**	
2. Type of Project **Highway Expansion**	6. County and State **Ward and McHenry County, ND**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 1-22-26	2. Person Completing Form Weiser, Lance
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 [X] NO [ ]		4. Acres Irrigated | Average Farm Size 1607
5. Major Crop(s) wheat, soybeans	6. Farmable Land in Government Jurisdiction Acres:1,086,000 % 83	7. Amount of Farmland As Defined in FPPA Acres:806,000 %74
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System LESA	10. Date Land Evaluation Returned by NRCS 2-4-26

PART III *(To be completed by Federal Agency)*	Maximum Points	Alternative Corridor For Segment 1 Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly		6.77	11.13		
B. Total Acres To Be Converted Indirectly, Or To Receive Services					
C. Total Acres In Corridor		6.77	11.13		
PART IV *(To be completed by NRCS) Land Evaluation Information*					
A. Total Acres Prime And Unique Farmland		6.67	11.08		
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		.001	.001		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		27	27		
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)*		84	85		
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	14	14		
4. Protection Provided By State And Local Government	20	20	20		
5. Size of Present Farm Unit Compared To Average	10	1	1		
6. Creation Of Nonfarmable Farmland	25	0	0		
7. Availablility Of Farm Support Services	5	4	4		
8. On-Farm Investments	20	5	5		
9. Effects Of Conversion On Farm Support Services	25	0	0		
10. Compatibility With Existing Agricultural Use	10	1	1		
TOTAL CORRIDOR ASSESSMENT POINTS	160	70	70		
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	84	85		
Total Corridor Assessment (From Part VI above or a local site assessment)	160	70	70		
TOTAL POINTS *(Total of above 2 lines)*	260	154	155		

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

5. Reason For Selection:

Signature of Person Completing this Part: Whitney Sauskojus

DATE 1/22/26

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 1/22/26	4. Sheet 2 of 6
1. Name of Project **US 52 Four Lane**	5. Federal Agency Involved **FHWA**	
2. Type of Project **Highway Expansion**	6. County and State **Ward and McHenry County, ND**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 1-22-26	2. Person Completing Form Weiser, Lance
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 [X] NO [ ]		4. Acres Irrigated | Average Farm Size 1607
5. Major Crop(s) wheat, soybeans	6. Farmable Land in Government Jurisdiction Acres:1,086,000%83	7. Amount of Farmland As Defined in FPPA Acres:806,000 %74
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System LESA	10. Date Land Evaluation Returned by NRCS 2-4-26

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment 2			
	Corridor A	**Corridor B**	**Corridor C**	**Corridor D**
A. Total Acres To Be Converted Directly	3.75	1.30		
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	3.75	1.30		
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	3.70	1.25		
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.001	.001		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	27	0		
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)*	87	91		

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	14	14		
2. Perimeter in Nonurban Use	10	7	7		
3. Percent Of Corridor Being Farmed	20	5	5		
4. Protection Provided By State And Local Government	20	20	20		
5. Size of Present Farm Unit Compared To Average	10	1	1		
6. Creation Of Nonfarmable Farmland	25	0	0		
7. Availablility Of Farm Support Services	5	4	4		
8. On-Farm Investments	20	1	1		
9. Effects Of Conversion On Farm Support Services	25	0	0		
10. Compatibility With Existing Agricultural Use	10	1	1		
TOTAL CORRIDOR ASSESSMENT POINTS	160	53	53		
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	87	91		
Total Corridor Assessment (From Part VI above or a local site assessment)	160	53	53		
TOTAL POINTS *(Total of above 2 lines)*	260	140	144		

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

5. Reason For Selection:

Signature of Person Completing this Part: Whitney Sauskojus

DATE 1/22/26

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 1/22/26	4. Sheet 3 of 6
1. Name of Project **US 52 Four Lane**	5. Federal Agency Involved **FHWA**	
2. Type of Project **Highway Expansion**	6. County and State **Ward and McHenry County, ND**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 1-22-26	2. Person Completing Form Weiser, Lance
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 [X] NO [ ]		4. Acres Irrigated | Average Farm Size 1387
5. Major Crop(s) wheat, soybens	6. Farmable Land in Government Jurisdiction Acres:1,152,000%94	7. Amount of Farmland As Defined in FPPA Acres:432,000%38
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System LESA	10. Date Land Evaluation Returned by NRCS 2-4-26

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment 3			
	Corridor A	**Corridor B**	**Corridor C**	**Corridor D**
A. Total Acres To Be Converted Directly	33.53	19.24		
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	33.53	19.24		
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	33.43	19.24		
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.001	.001		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	27	27		
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)*	86	86		

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	5	5		
3. Percent Of Corridor Being Farmed	20	10	5		
4. Protection Provided By State And Local Government	20	20	20		
5. Size of Present Farm Unit Compared To Average	10	1	0		
6. Creation Of Nonfarmable Farmland	25	0	0		
7. Availablility Of Farm Support Services	5	4	4		
8. On-Farm Investments	20	2	2		
9. Effects Of Conversion On Farm Support Services	25	0	0		
10. Compatibility With Existing Agricultural Use	10	1	1		
TOTAL CORRIDOR ASSESSMENT POINTS	160	58	52		
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	86	86		
Total Corridor Assessment (From Part VI above or a local site assessment)	160	58	52		
TOTAL POINTS *(Total of above 2 lines)*	260	144	138		

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

5. Reason For Selection:

Signature of Person Completing this Part: Whitney Sauskojus

DATE 1/22/26

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 1/22/26	4. Sheet 4 of 6
1. Name of Project **US 52 Four Lane**	5. Federal Agency Involved **FHWA**	
2. Type of Project **Highway Expansion**	6. County and State **Ward and McHenry County, ND**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 1-22-26	2. Person Completing Form Weiser, Lance
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 [X] NO [ ]		4. Acres Irrigated | Average Farm Size 1387
5. Major Crop(s) wheat, soybeans	6. Farmable Land in Government Jurisdiction Acres:1,152,000%94	7. Amount of Farmland As Defined in FPPA Acres:432,000%38
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System LESA	10. Date Land Evaluation Returned by NRCS 2-4-26

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment 4			
	Corridor A	**Corridor B**	**Corridor C**	**Corridor D**
A. Total Acres To Be Converted Directly	0.33	0.71	0.38	
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	0.33	0.71	0.38	
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	0.33	0.71	0.38	
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.001	.001	.001	
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	0	0	0	
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)89*	89	89	89	

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	5	9	4	
2. Perimeter in Nonurban Use	10	0	1	0	
3. Percent Of Corridor Being Farmed	20	0	0	0	
4. Protection Provided By State And Local Government	20	0	0	0	
5. Size of Present Farm Unit Compared To Average	10	0	0	0	
6. Creation Of Nonfarmable Farmland	25	0	0	0	
7. Availablility Of Farm Support Services	5	4	4	4	
8. On-Farm Investments	20	0	2	0	
9. Effects Of Conversion On Farm Support Services	25	0	0	0	
10. Compatibility With Existing Agricultural Use	10	0	1	0	
TOTAL CORRIDOR ASSESSMENT POINTS	160	9	16	8	
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland (From Part V)	100	89	89	89	
Total Corridor Assessment (From Part VI above or a local site assessment)	160	9	16	8	
TOTAL POINTS *(Total of above 2 lines)*	260	98	105	97	

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

5. Reason For Selection:

Signature of Person Completing this Part: Whitney Sauskojus

DATE 1/22/26

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 1/22/26	4. Sheet 5 of 6
1. Name of Project **US 52 Four Lane**	5. Federal Agency Involved **FHWA**	
2. Type of Project **Highway Expansion**	6. County and State **Ward and McHenry County, ND**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 1-22-26	2. Person Completing Form Weiser, Lance
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 [X] NO [ ]		4. Acres Irrigated | Average Farm Size 1387
5. Major Crop(s) wheat, soybeans	6. Farmable Land in Government Jurisdiction **Acres:1,152,000%94**	7. Amount of Farmland As Defined in FPPA **Acres:432,000%38**
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System LESA	10. Date Land Evaluation Returned by NRCS 2-4-26

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment 5			
	Corridor A	**Corridor B**	**Corridor C**	**Corridor D**
A. Total Acres To Be Converted Directly	**3.19**	**0.52**		
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	**3.19**	**0.52**		
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	3.1	0.52		
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.001	.001		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	38	27		
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)*	60	69		
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	**7**	**7**		
4. Protection Provided By State And Local Government — 20	**20**	**20**		
5. Size of Present Farm Unit Compared To Average — 10	**1**	**1**		
6. Creation Of Nonfarmable Farmland — 25	**0**	**0**		
7. Availablility Of Farm Support Services — 5	**4**	**4**		
8. On-Farm Investments — 20	**3**	**3**		
9. Effects Of Conversion On Farm Support Services — 25	**0**	**0**		
10. Compatibility With Existing Agricultural Use — 10	**1**	**1**		
TOTAL CORRIDOR ASSESSMENT POINTS — 160	**61**	**61**		
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	**60**	**69**		
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	**61**	**61**		
TOTAL POINTS *(Total of above 2 lines)* — 260	**121**	**130**		

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

5. Reason For Selection:

Signature of Person Completing this Part: Whitney Sauskojus — DATE **1/22/26**

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 1/16/26	4. Sheet 6 of 6
1. Name of Project **US 52 Four Lane**	5. Federal Agency Involved **FHWA**	
2. Type of Project **Highway Expansion**	6. County and State **Ward and McHenry County, ND**	

PART II *(To be completed by NRCS)*	1. Date Request Received by NRCS 1-16-26	2. Person Completing Form Weiser, Lance
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 [X] NO [ ]		4. Acres Irrigated | Average Farm Size 1387
5. Major Crop(s) wheat, soybeans	6. Farmable Land in Government Jurisdiction **Acres:1,152,000%94**	7. Amount of Farmland As Defined in FPPA **Acres:432,000%38**
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System LESA	10. Date Land Evaluation Returned by NRCS 2-4-26

PART III *(To be completed by Federal Agency)*	Alternative Corridor For Segment 6			
	Corridor A	**Corridor B**	**Corridor C**	**Corridor D**
A. Total Acres To Be Converted Directly	**0.26**	**0.15**		
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	**0.26**	**0.15**		
PART IV *(To be completed by NRCS) Land Evaluation Information*				
A. Total Acres Prime And Unique Farmland	0.22	0.13		
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	.001	.001		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	19	19		
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)*	72	75		
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	**3**	**3**		
4. Protection Provided By State And Local Government — 20	**20**	**20**		
5. Size of Present Farm Unit Compared To Average — 10	**1**	**1**		
6. Creation Of Nonfarmable Farmland — 25	**0**	**0**		
7. Availablility Of Farm Support Services — 5	**4**	**4**		
8. On-Farm Investments — 20	**2**	**2**		
9. Effects Of Conversion On Farm Support Services — 25	**0**	**0**		
10. Compatibility With Existing Agricultural Use — 10	**1**	**1**		
TOTAL CORRIDOR ASSESSMENT POINTS — 160	**56**	**56**		
PART VII *(To be completed by Federal Agency)*				
Relative Value Of Farmland (From Part V) — 100	**72**	**75**		
Total Corridor Assessment (From Part VI above or a local site assessment) — 160	**56**	**56**		
TOTAL POINTS *(Total of above 2 lines)* — 260	**128**	**128**		

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

5. Reason For Selection:

TBD

Signature of Person Completing this Part: Whitney Sauskojus

DATE **1/16/26**

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

Appendix F, USFWS Documentation

United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, ND 58501

January 21, 2026

In Reply Refer To:
Project Code: 2025-0076251
Project Name: U.S. Highway 52 Four-Lane Project

Lindsey Handel, Deputy Division Administrator
Federal Highway Administration
4503 Coleman Street, Suite 205
Bismarck, ND 58503

Dear Ms. Handel:

Thank you for your consultation initiation package dated September 8, 2025, with the final biological assessment (BA) and your request for formal and informal consultation with the U.S. Fish and Wildlife Service (Service) for the transportation project number 4-052(109)101, PCN 24012, involving the expansion of approximately 21.5 miles of U.S. Highway 52 (US 52) from a two-lane highway to a four-lane highway in McHenry County and Ward County, North Dakota (the "Proposed Action").

The submitted BA analyzed effects of the Proposed Action on the federally threatened Dakota skipper (*Hesperia dacotae*), piping plover (*Charadrius melodus*), rufa red knot (*Calidris canutus rufa*), and the federally endangered northern long-eared bat (*Myotis septentrionalis*), and whooping crane (*Grus americana*). The formal consultation request concerns your determination that the Project **"may affect, is likely to adversely affect"** the federally threatened Dakota skipper (*Hesperia dacotae*). This letter transmits the Service's biological opinion (BO) based on our review of the Proposed Action, as described in the BA.

Based on the Service's analysis within the enclosed BO, it is our determination that the Proposed Action and its associated activities are not likely to jeopardize the continued existence of the Dakota skipper. Up to 2.02 acres of permanent and 2.77 acres of temporary disturbance to suitable habitat, and up to 110.814 acres of permanent and 413.78 acres of temporary disturbance to dispersal/foraging habitat is expected as part of the incidental take for the Proposed Action as long as the specific terms and conditions outlined in the BO are followed.

The informal consultation request concerns your determination of "may affect, but is not likely to adversely affect" for the federally endangered northern long-eared bat (*Myotis septentrionalis*), and whooping crane (*Grus americana*). Based on evaluated potential effects to the species from the Proposed Action, in accordance with Section 7(c) of the Endangered Species Act (ESA), as amended, 16 U.S.C. §§ 1531 et seq., the Service concurs with your determination of **"may affect,**

but is not likely to adversely affect” for the endangered northern long-eared bat and whooping crane.

Lastly, the BA indicates determinations of "no effect" for the piping plover and rufa red knot (*Calidris canutus rufa*). There is no requirement under the implementing regulations of the ESA (50 C.F.R. § 402) for action agencies to receive Service concurrence with "no effect" determinations, therefore the responsibility for "no effect" determinations remains with the federal action agency. We recommend the Federal action agency document any "no effect" determinations and retain the documentation in the decisional record for this federal action.

The Proposed Action should be re-analyzed if any of the following occur:

1. New information reveals effects of the action that may affect listed species in a manner or to an extent not previously considered.
2. The identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation.
3. A new species is listed, critical habitat is designated, or a change occurs to the listing status of a species or designated critical habitat that may be affected by this Project.

We appreciate your efforts to ensure the conservation of listed species as part of our joint responsibilities under the ESA. If you have any additional questions or concerns, please contact Hanna Edens at (701) 954-0312 or via email at hanna_edens@fws.gov or myself at (720) 793-6797 or via email at luke_toso@fws.gov.

Sincerely,

LUKE TOSO

Digitally signed by LUKE TOSO
Date: 2026.01.21 15:04:00 -06'00'

Luke Toso
Acting Field Supervisor
North & South Dakota Field Office

CC: Kristin Sperry, Planning Program Manager, Federal Highway Administration, Bismarck, North Dakota

Matt Gangness, Division Director, Environmental & Transportation Services, North Dakota Department of Transportation, Bismarck, North Dakota

Wyatt Mack, Wildlife Biologist, Environmental & Transportation Services, North Dakota Department of Transportation, Bismarck, North Dakota

Table of Contents

1.0 INTRODUCTION 1
1.1 Consultation History 2
2.0 DESCRIPTION OF THE PROPOSED ACTION 5
2.1 Project Overview 5
2.2 Summary of Project Construction Activities 8
2.2.1 Geotechnical Investigation 8
2.2.2 Site Preparation 8
2.2.3 Utility Relocation 9
2.2.4 Roadway Construction 10
2.3 Proposed Conservation Measures 12
2.3.1 General Environmental Commitments and Conservation Measures: 12
2.3.2 Federally Protected Species Avoidance and Minimization Measures: 13
2.3.3 Dakota Skipper Species-Specific Avoidance and Minimization Measures: 14
2.4 Action Area 14
2.4.1 Dust Road-Effect Zone 15
3.0 STATUS OF THE SPECIES & CRITICAL HABITAT: DAKOTA SKIPPER 18
3.1 Legal Status 18
3.2 Species Description 18
3.3 Species General Life History 19
3.4 Species Habitat Requirements 19
3.4.1 North Dakota Habitat 21
3.5 Species Rangewide Distribution 22
3.6 Species North Dakota Distribution 25
3.6.1 Towner-Karlsruhe Complex 25
3.6.2 Sheyenne National Grasslands 26
3.6.3 Post-Listing North Dakota Distribution 26
3.7 Threats 27
3.8 Recovery Needs and Efforts 27
4.0 ENVIRONMENTAL BASELINE 29
4.1 Land Use 29
4.2 Status of the Species in the Action Area 32
4.2.1 Landscape Connectivity 32

4.2.2 Qualitative Visual Habitat Assessment of the Project Boundary 33
4.2.3 Number and Distribution of Local Populations 36
4.3 Factors Affecting the Species Within the Action Area 37
4.3.1 Previous Consultations that overlap with the Action Area 37
5.0 EFFECTS OF THE ACTION 39
5.1 Evaluation of Potential Stressors 39
5.1.1 Acoustic Stressors 40
5.1.2 Visual Stressors 40
5.1.3 Physical Injury 42
5.1.4 Habitat Loss: Removal and Fragmentation 45
5.1.5 Habitat Degradation 46
5.1.6 Contaminants 50
5.2 Summary of Adverse Effects to the Dakota Skipper 59
5.3 Cumulative Effects 59
6.0 CONCLUSION 60
7.0 INCIDENTAL TAKE STATEMENT 61
7.1 Amount or Extent of Take 61
7.2 Effect of the Take 62
7.3 Reasonable and Prudent Measures 62
7.4 Terms and Conditions 63
7.5 Conservation Recommendations 65
7.6 REINITIATION NOTICE 66
8.0 LITERATURE CITED 67

ACRONYMS and ABBREVIATIONS

2025 BA ---------- Biological Assessment for US 52 Four-Lane Project
Action Area ---------- 1-mile buffer around the Project Boundary
BA ---------- Biological Assessment
BLM ---------- Bureau of Land Management
BMPs ---------- Best Management Practices
BO ---------- Biological Opinion [“Opinion”]
C.F.R. ---------- Code of Federal Regulations
DASK Model --------- Dakota Skipper Habitat Suitability Model (Barnes et al. 2024)
Dust Zone ---------- 300-foot buffer around the Project Boundary
eDNA ---------- Environmental DNA
ESA ---------- Endangered Species Act
FR ---------- Federal Register
FHWA ---------- Federal Highway Administration
IPaC ---------- Information for Planning and Consultation
ND 41 ---------- North Dakota Highway 41
NDCC ---------- North Dakota Century Code
NDDOT ---------- North Dakota Department of Transportation
NDFO ---------- North Dakota Field Office
NDGF ---------- North Dakota Game and Fish Department
NDNRT ---------- North Dakota Natural Resources Trust
NLCD ---------- National Land Cover Database
Proposed Action ------ U.S. Highway 52 Four-Lane Project
Project Boundary ----- Footprint of the Proposed Action and boundary of on-site field assessments
ROW ---------- Right of Way
RP ---------- Reference Post
RPM ---------- Reasonable and Prudent Measures
SSA ---------- Species Status Assessment
SWPPP ---------- Storm Water Pollution Prevention Plan
Ulteig ---------- Ulteig Engineers Inc.
US 52 ---------- U.S. Highway 52
U.S.C. ---------- United States Code
USFS ---------- U.S. Forest Service
USFWS ---------- U.S. Fish and Wildlife Service [“Service”]
USGS ---------- U.S. Geological Survey

1.0 INTRODUCTION

The Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. §§ 1531 et seq.), section 7(b)(3)(A), requires the Secretary, to issue a written opinion detailing how the Federal agency action(s) may affect listed species or critical habitat. Specifically, a written opinion determines whether the action is likely to jeopardize the continued existence of a listed species or destroy or adversely modify critical habitat (regulatory definitions found at 50 C.F.R. § 402.02). The jeopardy determination is made by evaluating the consequences of the proposed Federal action in the context of the species' current range-wide status, considering any cumulative effects, to determine if implementation of the proposed action is likely to cause an appreciable reduction in the likelihood of both the survival and recovery of the species in the wild. The key to making this finding is clearly establishing the role of the action area in the conservation of the species, and how the effects of the proposed action, taken together with cumulative effects, are likely to alter that role and the continued existence (i.e., survival) of the species. Therefore, in accordance with implementing regulations (50 C.F.R. § 402.14), the analytical framework for the jeopardy analysis relies on four components:

1) The **Status of the Species**, which evaluates the range-wide condition of the species, the factors responsible for that condition, and the species' survival and recovery needs;
2) The **Environmental Baseline**, which evaluates the condition of the species in the action area, the factors responsible for that condition, and the relationship of the action area to the survival and recovery of the species;
3) The **Effects of the Action**, which determines the direct and indirect impacts of the proposed Federal action and the effects of any interrelated or interdependent activities on each species; and
4) **Cumulative Effects**, which evaluates the effects of future, non-Federal activities in the action area on the species.

Furthermore, ESA section 7(b)(3)(A) requires the Secretary to suggest reasonable and prudent alternatives for any action that is found likely to jeopardize the continued existence of listed species or result in the adverse modification of designated critical habitat. If the Secretary determines "no jeopardy," then implementing regulations (50 C.F.R. § 402.14) require the Director to specify "reasonable and prudent measures" (RPMs) and "terms and conditions" necessary or appropriate to minimize the impact of any "incidental take" resulting from the action(s).

This Biological Opinion– referred throughout as 'BO' or the 'Opinion'–addresses related effects to the threatened Dakota skipper (*Hesperia dacotae*) from the proposed project activities. The activities under review are associated with transportation project number 4-052(109)101, PCN 24012, proposed by the Federal Highway Administration (FHWA), in conjunction with the North Dakota Department of Transportation (NDDOT), involving the expansion of approximately 21.5 miles of U.S. Highway 52 (US 52) from a two-lane highway to a four-lane highway in McHenry County and Ward County, North Dakota (the "Proposed Action"). Since it is assumed that potential impacts may adversely affect the Dakota skipper, further analysis was necessary. The FHWA, along with NDDOT, completed a Biological Assessment (BA) for the threatened and endangered species that may be present in the action area; used herein to further inform the Opinion analysis of effects of the Proposed Action on federally protected species pursuant to the ESA.

1.1 CONSULTATION HISTORY

July 1, 2024 – NDDOT, in cooperation with the FHWA, contracted Ulteig Engineers Inc. (Ulteig) to complete a Dakota skipper habitat survey and delineate suitable habitat along the U.S. Highway 52 (US 52) Four-Lane Project (the "Proposed Action").

November 26, 2024 – NDDOT – a designated non-federal representative for FHWA – informally consulted with U.S. Fish and Wildlife Service ("USFWS" or the "Service"), under the FHWA/NDDOT Programmatic Biological Assessment (2025 NDDOT), for the proposed investigative geotechnical soil boring along the Proposed Action. An official species list was generated using the Service's Information for Planning and Consultation (IPaC) tool [IPaC Code: 2024-0126048]. No proposed geotechnical investigations activities occurred within delineated Dakota Skipper habitat and proposed activities would be conclude prior to the end of winter; the Service concurred with the May Affect, Not Likely to Adversely Affect determination.

January 2025 – NDDOT completed 29 geotechnical soil borings along the Proposed Action.

June 2025 – Following refinement of the project boundary during preliminary engineering design, NDDOT determined additional investigative geotechnical soil boring would be need for the Proposed Action. Therefore, FHWA/NDDOT re-initiated consultation for the Proposed Action.

May 20, 2025 – A kickoff meeting was held between FHWA, NDDOT, Ulteig, and USFWS to start re-initiation of consultation for the Proposed Action.

May 22, 2025 – Ulteig provided FHWA, NDDOT, and USFWS with meeting notes from the project kickoff meeting on May 20, 2025.

June 16, 2025 – NDDOT requested a meeting with USFWS to discuss the draft BA and potential conservation and mitigation measures for the Dakota skipper as it relates to the Proposed Action.

June 25, 2025 – NDDOT met with USFWS to discuss the draft BA and potential conservation and mitigation measures for the Dakota skipper as it relates to the Proposed Action. Following the meeting, NDDOT provided USFWS with the draft BA for review.

July 1, 2025 – USFWS provided NDDOT with comments on the draft BA.

July 2, 2025 – USFWS provided NDDOT with guidance material for Dakota skipper bank site establishment

July 8, 2025 – Ulteig requested the most current data from USFWS for the whooping cranes to aid their effects analysis.

July 16, 2025 – USFWS provided Ulteig with information on where to access publicly available whooping crane datasets and provided a data use agreement for the USFWS incidental whooping crane sightings dataset. Ulteig returned a signed data use agreement and USFWS released the requested information that same day.

August 4, 2025 – NDDOT provided USFWS with an update draft BA for review.

August 6, 2025 – NDDOT and USFWS met to further discuss the draft BA.

September 2, 2025 – A monthly progress meeting for the Proposed Action was held. These meetings are routinely attended by representatives of the FHWA, NDDOT, Ulteig, and USFWS.

September 8, 2025 – FHWA, after review, submitted the final BA and initiated formal consultation.

September 10, 2025 – FHWA and NDDOT were notified at an in-person meeting that USFWS had received the BA and was in the process of reviewing.

September 23, 2025 – The Service issued a letter to the FHWA accepting submission of the BA as complete with indication that a BO is being drafted by USFWS.

October/November/December 2025 – Various emails and chat exchanges between the Service and proponents for BA clarifications, questions, and further data requests.

October 7, 2025 – A monthly progress meeting for the Proposed Action was held.

October 10, 2025 – The *Proposed Action Section* draft from the BO was sent to NDDOT for review.

October 21, 2025 – NDDOT and USFWS met to discuss the provided *Proposed Action Section* and the need for an additional Dakota skipper habitat survey on a portion of the Proposed Action.

October 24, 2025 – NDDOT sent USFWS comments back on the draft *Proposed Action Section*.

November 4, 2025 – A monthly progress meeting for the Proposed Action was held.

December 2, 2025 – A monthly progress meeting for the Proposed Action was held.

December 5, 2025 – The USFWS asked NDDOT/Ulteig to recalculate suitable habitat acreage within the project boundary due to differing calculations in submitted materials. The correct acreage is reflected and used for analysis herein.

January 6, 2026 – A monthly progress meeting for the Proposed Action was held.

January 7, 2026 – Draft BO provided to the Federal action agency for review.

January 12, 2026 – Draft ITS provided to the Federal action agency for review.

January 13, 2026 – Meeting to discuss the draft BO and ITS attended by representatives of the FHWA, NDDOT, Ulteig, and USFWS.

January 14, 2026 – Follow-up meetings between the USFWS, NDDOT, and Ulteig to discuss comments on the BO and ITS. An updated draft of the ITS was sent by USFWS.

January 16, 2026 – Draft BO and ITS comments submitted to the USFWS. A memo was also provided containing updated and supplemental information pertaining to the Proposed Action.

January 21, 2026 – Finalization of BO with signatures.

2.0 DESCRIPTION OF THE PROPOSED ACTION

2.1 PROJECT OVERVIEW

This Biological Opinion analyzes effects of the proposed expansion of U.S. Highway 52 (US 52) from a two-lane highway into a four-lane highway within McHenry and Ward counties in North Dakota (the "Proposed Action"). This expansion would encompass approximately 21.5 miles of US 52, beginning near Minot, North Dakota at Reference Post (RP) 101.20 (approximately 2.3 miles west of Junction 79th Ave SE) and terminating just east of Voltaire at RP 123.00, spanning the following locations, as also shown on Figure 1 and Figure 2:

- Township 152 North (T152N)
  - Range 79 West (R79W), Sections 5 and 6
  - Range 80 West (R80W), Sections 1 and 2
- Township 153 North (T153N)
  - Range 79 West (R79W), Section 31
  - Range 80 West (R80W), Sections 7, 17, 18, 20, 21, 22, 23, 25, 26, and 36
  - Range 81 West (R81W), Sections 4, 5, 9, 10, 11, 12, and 13
- Township 154 North (T154N)
  - Range 81 West (R81W), Sections 30, 31, and 32
  - Range 82 West (R82W), Sections 4, 9, 10, 14, 15, 23, 24, and 25

The Proposed Action has two primary alternatives under consideration: 1) a divided four-lane highway with a depressed center median and 2) a divided four-lane highway with a flush paved center median. However, during preliminary design it became apparent that a hybrid alternative was best suited to address the needs and various constraints along the project corridor. Therefore, the corridor was split into six (6) segments to analyze distinct alternative options for each segment (Table 1; Figure 2). Additional design or special considerations have been incorporated for Segment 3 and Segment 4 (Table 1; Figure 2), which are further addressed in Section 2.2.4. As preliminary build alternatives are still subject to change, all presented unit estimates herein are representative of the broadest area of potential impact. The potential resulting impacts to federally listed species and their habitat are further address in the *EFFECTS OF THE ACTION* section.

Table 1: Proposed Action Segment Lengths and Locations – *Source: NDDOT 2025 BA*

County	Segment	Segment Length (miles)	Begin Location/RP	End Location/RP
Ward County	1	7.92	Start Location RP 101.20	Prior to Ward CR 23 RP 109.12
	2	3.39	Prior to Ward CR 23 RP 109.12	Ward CR 25/Ward County Line RP 112.51
McHenry County	3	3.16	McHenry County Line RP 112.51	West End of Velva RP 115.67
	4	1.86	West End of Velva RP 115.67	East End of Velva RP 117.53
	5	2.68	East End of Velva RP 117.53	ND 97 RP 120.21
	6	2.31	ND 97 RP 120.21	Voltaire/End Location RP 122.52

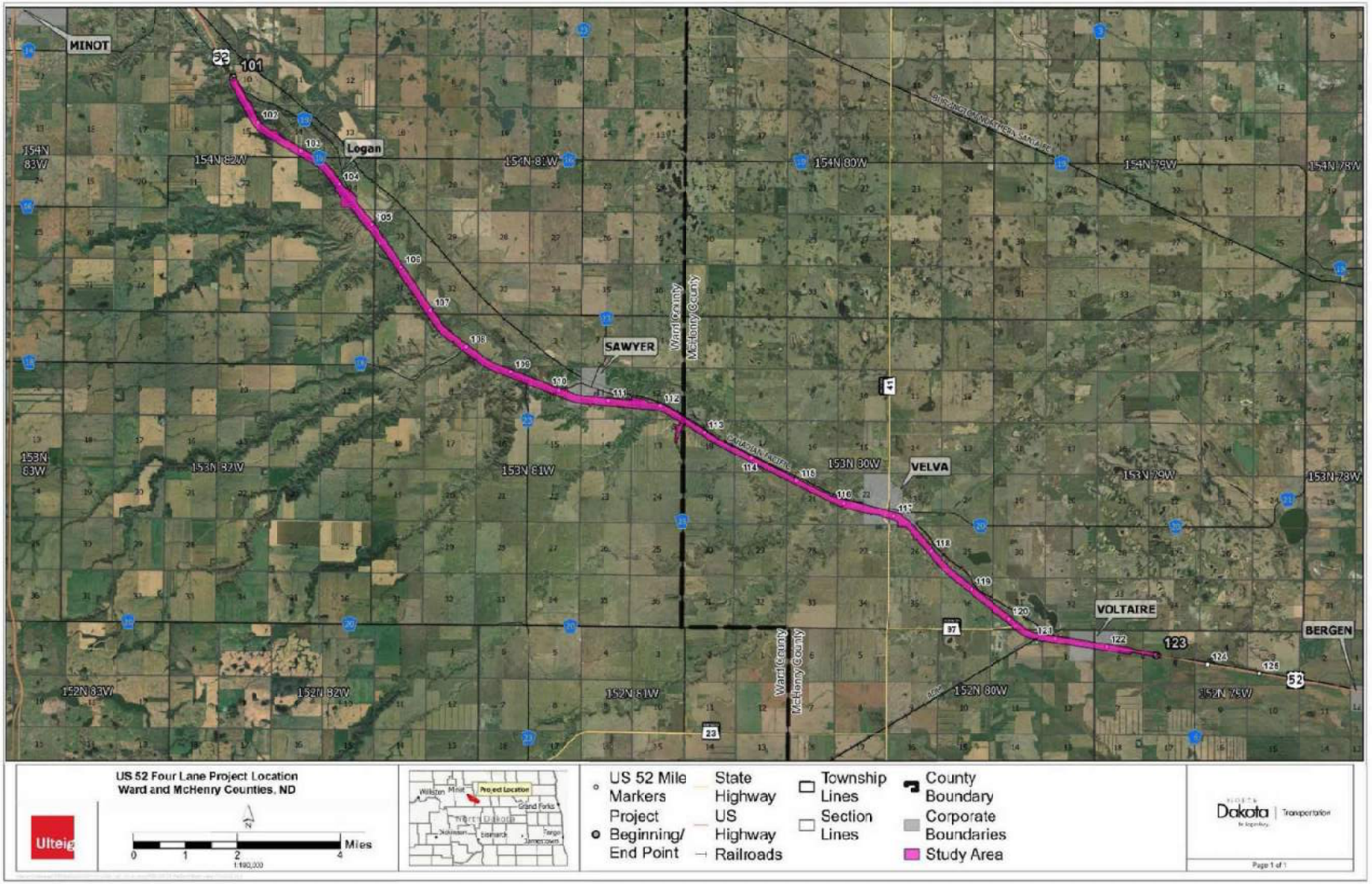


Figure 1: Map of the Proposed Action – *Source: NDDOT 2025 BA*

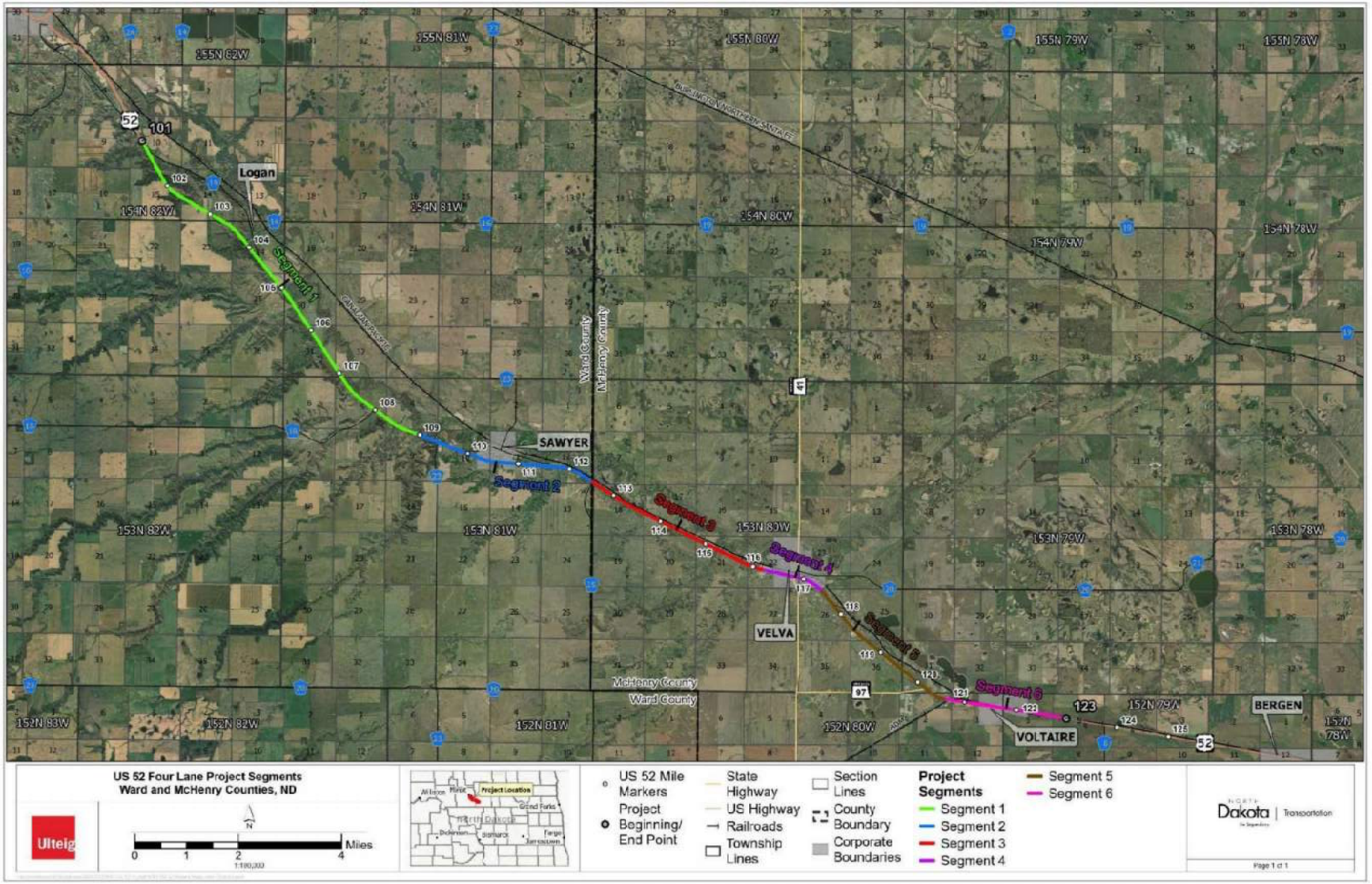


Figure 2: The Proposed Action Segments – *Source: NDDOT 2025 BA*

2.2 SUMMARY OF PROJECT CONSTRUCTION ACTIVITIES

The Proposed Action would be consistent with typical highway construction activities and equipment. The following descriptions of expected construction activities are from information provided during the prior 2024 consultation, project meetings and notes, and the 2025 BA.

2.2.1 Geotechnical Investigation

Geotechnical investigations are conducted to assess existing soil stability along the project corridor and aid study and design of the Proposed Action. The drilling rig, a 6-inch drill, is transported to the project via semi carrier, unloaded, and mounted on either a truck or wheeled drill rig, measuring up to 8 feet wide by 28 feet long. The mounted drill rig will then be driven overland, utilizing existing access and roadway as much as possible, to the boring locations. No improvements would be made to access routes. Boring depths range from 30 to 150 feet deep, depending on the terrain. Each bore takes approximately 8 to 10 hours to complete. The boring holes would be backfilled, and the tailing pile would be leveled off once the geotechnical investigation is complete.

2.2.2 Site Preparation

Prior to initiation of any ground disturbing activities, a work zone area will be established, traffic control signage will be placed, erosion control devices will be installed, and utility coordination will occur. Temporary lighting may also be placed for utilization during early morning and evening construction. As necessary, right of way (ROW), temporary construction easements, and/or permanent easements would be acquired. Acquisition of up to 188.6 acres of permanent ROW and 43.2 acres of temporary easement would be required for the Proposed Action. The total combined existing ROW, proposed ROW, and temporary easement acreage along the Proposed Action by land use type is outlined in Table 2.

Table 2: Combined existing ROW, proposed ROW, and temporary easement acreage along the Proposed Action by land use type – *Source: BA Memo 2026*

Land Use Type	Acreage
Open Water	0
Developed	634.7
Barren Land	1.92
Woodland	17.85
Shrubland	0.32
Grassland	376.19
Pasture	18.83
Cultivated	39.64
Wetland	25.76
Total	**1,115.21**

2.2.3 Utility Relocation

Overhead electrical utility construction can involve the use of various equipment such as but not limited to cranes, augers, digger trucks, bucket trucks, skid steers, backhoe excavators, and bull wheel tensioners. Typically, utility poles are buried a depth equal to 10% of the pole's height, plus 2 feet, though this depth can vary according to utility preference, materials, regulatory requirements, and environmental factors. Diameter of the hole can also vary depending on the type of structure being installed. Bull wheel tensioners, typically trailer mounted, travel down the utility easement providing line tension control during installation. Where splices in the line are necessary, splice devices or specific splice method (e.g., compression, implosive, mechanical, etc.) is used to join the two sections together either from the ground or using bucket trucks to access the splice area.

Underground electrical and communication utilities are typically installed via plow on tracked equipment, backhoe excavator, and/or boring machines. Lines parallel to the roadway are typically installed via tracked equipment that moves along the easement, equipped with a reel holder (to hold the line) and a plow at the rear for installation. A typical backhoe bucket is 2 feet wide, while a plow or trench can vary between 5-8 inches wide. Underground installation of water utilities are typically 10 feet, electrical 4 feet, and fiber 2 feet but this can vary according to utility preference, regulatory requirements, and environmental factors. In areas where ground disturbing activities are prohibited or limited, horizontal directional drilling is typically used, reducing surface disturbance to only the entry and exit holes. Bell holes are typically dug by a backhoe excavator on both sides of the proposed bore. A bore machine is set up on one side of the drill location and drill pipe is drilled below the area to be avoided. Drill depth is based largely on soil conditions, resource being avoided, and/or regulatory requirements. Once the bore hole has been drilled, a casing (i.e., utility line) is attached to the drill pipe and pulled back through the hole. Where splices in the line are necessary, a backhoe excavator is typically used to dig a pit to maintain burial depth of the line and install an above ground control box or manhole to access below-ground equipment.

Overhead and underground utilities are located throughout the project corridor. Approximately 407,890 linear feet (LF) of underground utilities and 70,574 LF of overhead utilities that overlap with the Proposed Action (Table 3; Table 4). The readjustment of overhead utilities would result in the relocation of up to 202 utility poles. All utility poles are currently wood and are expected to be replaced in kind as close to the original location as feasible.

Table 3: Buried utilities overlapping with the Proposed Action location – *Source: BA Memo 2026*

Electrical (Linear Feet)	**Gasline** (LF)	**Fiber Optic** (LF)	**Waterline** (LF)	**Sanitary Sewer** (LF)	**Total** (LF)
42,200	1,090	263,600	89,400	11,600	**407,890**

Table 4: Potential overhead utility shifts from the Proposed Action - *Source: NDDOT 2025 BA*

Owner	Current Build Potentially Impacted	Necessary Shift
Western Area Power Administration (WAPA)	Two overhead utility lines currently crossing US 52.	Structures would be shifted; approximately 1,157 LF would be moved.
Basin Electric	Two overhead utility lines currently crossing US 52.	Structures would be shifted; approximately 942 LF would be moved.
Central Power	Two overhead utility lines currently crossing US 52. An additional utility line parallel to a portion of US 52.	Structures would be shifted; approximately 39,395 LF would be moved. Majority of shift is associated with the portion parallel to US 52.
Otter Tail Power	Thirteen (13) overhead utility lines currently crossing US 52. Multiple additional utility lines parallel to portions of US 52.	Structures would be shifted; approximately 29,080 LF would be moved. Majority of shift is associated with the portions parallel to US 52.

2.2.4 Roadway Construction

The first primary alternative under consideration, a divided four-lane highway with a depressed center median, would consist of 12-foot-wide driving lanes with 8-foot-wide exterior shoulders and 4-foot-wide interior shoulders, and a 52-foot-wide depressed center median (Figure 3). When complete, this alternative would have a 70-mile-per-hour (mph) posted speed limit.

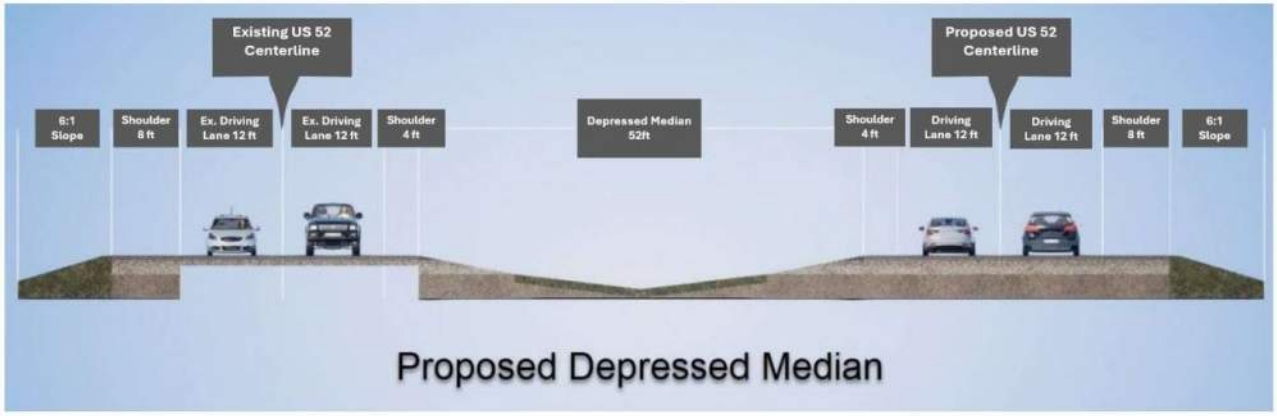


Figure 3: Alternative 1 – Proposed Depressed Median – *Source: NDDOT 2025 BA*

The second primary alternative under consideration, a divided four-lane highway with a paved center median, would consist of 12-foot-wide driving lanes with 8-foot-wide exterior shoulders and a 20-foot-wide flush paved center median (Figure 4). When complete, this alternative would have a 65-mph posted speed limit.

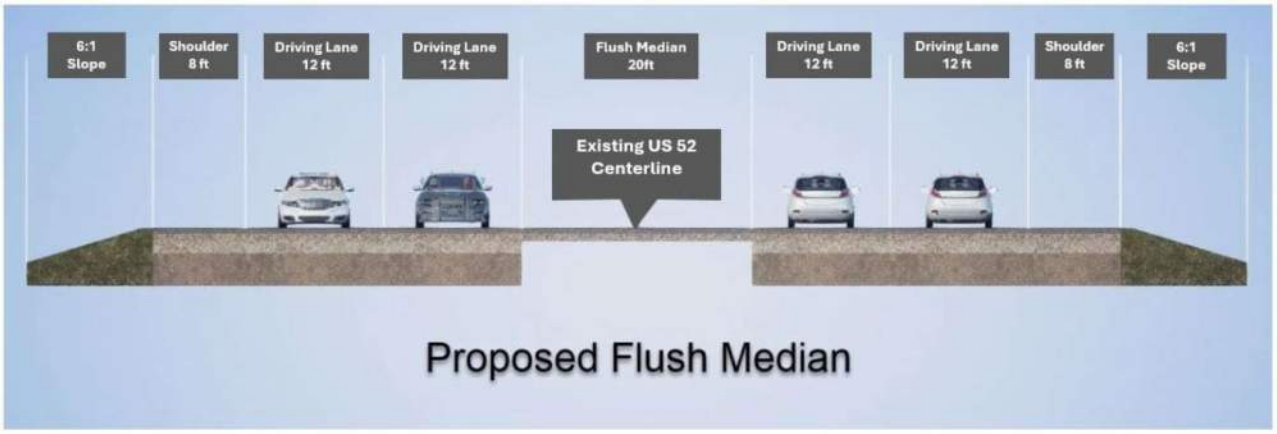


Figure 4: Alternative 2 – Proposed flush paved median – *Source: NDDOT 2025 BA*

For both primary alternatives under consideration, ditches would consist of 6:1 inslopes in the clear zone, breaking to steeper slopes in problematic areas (see Figure 3 & Figure 4). Shoulders and inslopes of the existing roadway would be improved where practicable.

During the preliminary alternative development it became apparent that a hybrid alternative would better address needs and constraints, therefore, the Proposed Action was split into six (6) segments to analyzing distinct alternative options for each segment (Table 1; Figure 2).

Special consideration for Segment 3 were initiated by the Souris River Joint Board, due to the Mouse River Enhanced Flood Protection Project, and will include a grade raise (approximately 6 feet at the highest point) to protect critical infrastructure from future flooding along the Mouse River Corridor.

The flushed pave median option is the sole build alternative for the portion of Segment 4 containing the town of Velva, North Dakota due to urban area constraints; however, other variations to this alternative are being explored (e.g., standard flush median, raised center median). The existing intersection of US 52 and North Dakota Highway 41 (ND 41) in Velva (Figure 2 – Segment 4) has other design option being explored such as adding an eastbound right turn lane, a westbound right turn lane, a southbound right turn lane, an enhanced north/south crosswalk, and a traffic signal. The single at-grade pedestrian crossing, occurring at the existing US 52/ND 41 intersection, has a design consideration for a 10-foot path paralleling US 52 on the north side. Illumination lighting in Velva would be replaced with LED lighting. The chosen build alternative for the urban area (Velva) would have a design speed less than or equal to 50 mph.

Regardless of build alternative, the construction areas will be cleared, grubbed, and topsoil would be stockpiled for later use for reclamation of non-roadway areas. Existing destination lighting along the project corridor would be removed and/or replaced with permanent light emitting diode (LED) lighting. Permanent signage, pavement markings, and traffic control devices would be installed.

Several existing drainage structures and cattle crossings would be improved and/or replaced as necessary and new drainage structures would be installed to maintain drainage patterns throughout the corridor. No bridges would be directly impacted. Best management practices will be used to prevent erosion.

Equipment used for construction activities will be consistent with other roadway projects and may include but is not limited to bulldozers, scrapers, graders, backhoes, trucks, asphalt pavers and conveyors, cranes, milling machines, excavators, and rollers.

Earthwork will include a combination of hauling and placing fill material, such as dirt, in construction areas that require additional fill (i.e., road widening) and removal of materials from cut areas, such as ditch sections. Topsoil will be set aside and then replaced once the fill or cut operations have occurred. Additional topsoil will be imported from a material source for areas where salvaged topsoil is insufficient to cover the disturbed areas. Work on approaches (e.g., field drives, section lines, and private driveways) will include the placement of fill material to widen existing approaches and/or construct new approaches.

Upon completion of the Proposed Action, reclamation would occur on non-roadway areas. This would include implementing erosion control measures, topsoil placement, and seeding of native vegetation. Roadway maintenance of the newly expanded four-lane highway would be conducted as needed, including control of noxious weeds within the roadway ROW via spot spraying and other eradication methods that do not include broadcast spraying. Traffic volumes are anticipated to increase over time; however, the Proposed Action is not expected to contribute to increased volumes, only address rising volumes.

2.3 PROPOSED CONSERVATION MEASURES

Used in context of the ESA, the proposed "conservation measures" represent the actions pledged by the Federal action agency that will be implemented to avoid and/or minimize effects to any federal protected resource that potentially occurs, and further the recovery of the species under review. Since these conservation measures are part of the Proposed Action, their implementation is required under the terms of the consultation (USFWS & NMFS 1998). The listed conservation measures are:

2.3.1 General Environmental Commitments and Conservation Measures:

In order to minimize and mitigate for impacts to federally protected resources, the FHWA plans to implement the following general conservation measures:

- Ensure all project operators, employees, and contractors are aware of pertinent environmental commitments and conservation measures.
- Mitigation of wetland impacts either onsite, adjacent to the Proposed Action, or at an approved NDDOT mitigation bank.
- Ensure tree removal is limited to that specified in the project's final plans. Installation of bright colored flagging/fencing prior to any tree removal to ensure contractors stay within clearing limits.
- Control of noxious weeds within NDDOT ROW by maintenance staff via spot spraying and other eradication methods, not including broadcast spraying.
- Handling of waste materials in compliance with state and federal regulations and disposed of in a way that prevents harm to water channels and riparian zones.
- Implementation of Best Management Practices (BMPs) and a Storm Water Pollution Prevention Plan (SWPPP). BMPs may include, but are not limited to, mulching, matting, and

netting; installation of filter fabric fencing; use of sediment traps and ponds; creation of surface water interceptor swales and ditches; and storing of stockpiles away from surface water sources.

- The project engineer will be immediately notified in the event any federally threatened or endangered species is identified within 1 mile of the Proposed Action. All construction activities will cease, a 0.5-mile avoidance area will be established, and immediate coordination with USFWS, FHWA, and NDDOT will occur. Work will not resume within the established avoidance area until the project engineer has confirmed with the previously listed agencies that work may proceed (e.g., species have left the area or approved minimization measures have been implemented).

2.3.2 Federally Protected Species Avoidance and Minimization Measures:

The FHWA has determined the Proposed Action is not likely to adversely affect the federally endangered whooping crane (*Grus americana*) and northern long-eared bat (*Myotis septentrionalis).* The Service has concurred with this determination for the following reasons:

- Implementation of the *General Environmental Commitments and Conservation Measures* (Section 2.3.1)
- To reduce the risk of flight collisions during the spring and fall whooping crane migration periods, bird diverters will be installed at a 1:1 ratio (per linear foot) on any raised, lowered, and/or moved overhead utility lines that occur within 1 mile of whooping crane stopover habitat. Each utility company would 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 areas.
- To avoid adverse impacts to the northern long-eared bat, tree removal will not occur during the active season (April 15 – October 31). In the event a tree removal needs to occur during the active season, tree removal outside of pup season (June 1 – August 15) may be allowable in coordination with USFWS.
- Bat use structure assessments are valid for two years; in the event any structure or culvert work is not completed prior to October 23, 2025, additional assessments will be completed prior to construction (within 2 years prior to commencement). If bats are not observed, no further actions will be taken. If bats are observed, further ESA consultation will be required.
- Temporary lighting that is utilized during construction will be directed away from trees during the active season for the northern long-eared bat (April 15 – October 31). Replaced permanent lighting will be designed to be approximately the same intensity as the previous lighting and use downward-facing, full cut-off lens.
- North Dakota does not currently have documented northern long-eared bat roosts or foraging habitat. Evidence of a maternity colony was detected in 2024; however, the potential colony location does not overlap with the Proposed Action (USFWS 2025a; Hanna Edens, *pers. comm.* 2025). In the event they are identified in the future, trees within 0.25 miles of documented roosts or documented foraging habitat, during any time of year, will not be cut down.

Based on this information and further analysis provided by the 2025 BA, the Service expects any potential effect from this Proposed Action on the whooping crane and northern long-eared bat to be insignificant or discountable and are not further addressed in this Opinion.

2.3.3 Dakota Skipper Species-Specific Avoidance and Minimization Measures:

The FHWA has determined the Proposed Action is likely to adversely affect the Dakota skipper. In order to minimize and mitigate for impacts to this species, the FHWA plans to implement the following species-specific conservation measures in addition to implementation of the *General Environmental Commitments and Conservation Measures* (Section 2.3.1):

- Identified suitable Dakota skipper habitat that will not be directly impacted during construction activities will be fenced and avoided.
- Implementation of standard dust control measures as required under the general construction permit.
- Mitigation for impacts to three suitable Dakota skipper habitat patches due to geotechnical investigative boring (including access routes and bore holes), totaling 0.35 acres, at an onsite/offsite Dakota skipper conservation bank. The bank will be established in accordance with the USFWS *North Dakota Field Office Guidance for Dakota Skipper Conservation Site Establishment*. The exact mitigation ratio would be determined in coordination with USFWS and NDDOT.
- One year of pre-construction Dakota skipper occupancy surveys will be completed for all identified suitable habitat patches (excluding the three (3) patches impacted by geotechnical investigative boring) in accordance with the most current USFWS protocol.
    - If pre-construction occupancy surveys indicate probable absence of the Dakota skipper, no further mitigation would occur.
    - If pre-construction occupancy surveys indicate occupancy of the Dakota skipper, an onsite/offsite Dakota skipper conservation bank would be established in accordance with the USFWS *North Dakota Field Office Guidance for Dakota Skipper Conservation Site Establishment*. The exact mitigation ratio would be determined in coordination with USFWS and NDDOT. Additionally, at least one year of post-construction occupancy survey(s) would occur after vegetation establishment in disturbed areas and within five years following construction.
- Disturbed areas within 250 meters of previously identified suitable Dakota skipper habitat will be reseeded with a seed mix composed of native species and includes grasses and forbs necessary for Dakota skipper lifecycle needs.

2.4 ACTION AREA

An action area encompasses "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action" (50 C.F.R. § 402.02). Determination of the action area relates to the *action* ("…modifications to the land, water, or air…" 50 C.F.R. § 402.02) proposed by the Federal action agency (USFWS & NMFS 1998); it encompasses the project footprint, additional project components (e.g., staging areas, temporary modifications), and the geographic extent of all stressors associated with the action. Stressors that define the action area may include, but are not limited to produced noise, vibrations, light and other visual disturbances, chemical pollution, silt and dust erosion and deposition, and/or ground disturbing activities.

The action area was defined using a conceptual framework called the "road-effect zone", which defines the area over which effects extend into the adjacent landscape from the roadway (Forman & Alexander 1998; Forman 2000). Research shows the quality of habitat in the road-effect zone is

generally degraded, but the ecological effect distances can vary from a few feet to a few miles under different circumstances (e.g., road build and traffic characteristics) and adjacent landscape characteristics (e.g., topography, vegetation, hydrology) (Van der Ree et al. 2015; Shanley & Pyare 2011; Forman & Deblinger 2000; Shilling & Weatjen 2012). The intensity and duration of the stressor can vary; for example, roadway construction noise tends to be higher intensity but may last for a limited duration whereas roadway traffic noise tends to be lower intensity but persist over the long term (Van der Ree et al. 2015). Therefore, the relative ecological effects of any given stressor can vary from project to project.

The Proposed Action has various preliminary build alternatives that are subject to change as design progresses (see *DESCRIPTION OF THE PROPOSED ACTION*); therefore, the defined action area is based on the broadest area where impacts may occur. The construction noise road-effect zone ("noise zone"), produced from the use of heavy equipment, is perceived as the stressor with the greatest geographic extent (i.e., forms the defined action area boundary). To determine the geographic extent of the noise zone, specifically the distance at which construction noise would attenuate back to current background levels, the following components are needed:

1) The maximum construction noise level: The FHWA collected noise emissions (expressed in terms of A-weighted decibel (dBA)), at a distance of 50 feet, from typical heavy machinery and found the average maximum noise levels to be between 73 and 101 dBA (Knauer et al. 2006; USDOT 2017).
2) The current ambient noise level: The EPA examined various environment noise levels and found that rural populations generally have average daytime noise levels less than 50 dBA (EPA 1978). Furthermore, FHWA estimated existing noise with a population of 1000-3000 people per square mile (i.e., encapsulating the largest population extent found in 1 square mile along the Proposed Action) to average 50 dBA (Hanson et al. 2006).
3) An assume noise reduction rate as it travels (i.e., ground attenuation): In a free-field environment, noise decreases at a rate of 6 dB per doubling of distance from a point source (Knauer et al. 2006). Vegetation, topography, and atmospheric conditions can all function as further noise energy absorbers. How much energy gets absorbed is dependent on the ground type (e.g., hard (reflective surface like pavement or water) or soft (vegetation-covered ground)). Typically, soft ground type absorption accounts for an additional 1.5 dB (Knauer et al. 2006), so the assumed attenuation rate for the point source noise from the Proposed Action activities is 7.5 dB per doubling of distance.

Using a base-10 log equation, the greatest distance construction noise would travel before attenuating back to background levels is approximately 5,482 ft (~1 mile) (Knauer et al. 2006; WSDOT 2025). Therefore, the Service has determined the action area for the Proposed Action to be a 1-mile buffer around the project footprint (Figure 5). This adequately encompasses all other potential road-effect zones from stressors. While our rational differs, the defined action area is the same as that presented in the 2025 BA.

2.4.1 Dust Road-Effect Zone

The Service also assess the fugitive dust road-effect zone ("dust zone") – the extent of which is fully captured by the defined action area (i.e., noise zone). Though some dust is naturally generated, activities associated with construction and roadway traffic can elevate fugitive dust levels above what would naturally occur. Whether activities are on a paved or unpaved surface particulate (i.e., fugitive dust)

emissions into the environment will occur (EPA 2006), though the amount and makeup of these particulates may differ depending on the surface type (paved vs unpaved). Ecological effects from elevated dust could include changes to environmental properties (e.g., soil pH, air quality) and adversely impact vegetation and invertebrates (Van der Ree et al. 2015).

The distance fugitive dust can travel is dependent upon factors such as wind, surrounding vegetation, and particle size (e.g., small, light particles such as clay (< 2 micrometers (µm)) vs medium to large, heavy particles such as silt (2-50 µm) and sand (50-2,000 µm; USDA 1987)). At an average wind speed of 10 mph, studies showed larger particles (≥ 100 µm) to be deposited within 20-30 ft (6-9 m) of the source road while medium and small particles deposited outwards of a few hundred feet (EPA 1995). Experimental studies on downwind dust deposits estimate 80% of generated dust deposits within 200 ft of the road edge (McCrea 1990). When tracking similar sized particles, those in sparsely vegetated areas travel further than those in heavily vegetated (e.g., dense forest) areas (EPA 1995).

To define dust migration distances from construction activities, we used studies that examined dust generation from traffic on unpaved roads in North Dakota. While dust generation from traffic may differ slightly from construction, these studies were the best estimates of fugitive dust generation within the scientific literation. Fugitive dust data from North Dakota rural roadway use showed dust to be detectable at 480 ft on low traffic roads (< 3000 vehicles per month; Gedafa et al. 2016). When comparing high traffic rural roadways (i.e., Bakken oil traffic), dust was always detectable at 80 m (~262 ft) but the dust accumulation at that distance increased by 29% compared to low traffic roadways. That is, the travel distance of dusting was similar, but accumulation was greater on high traffic roadways.

Based on these findings, we have determined the dust zone from construction activities to be a 300 ft buffer around the project boundary, which is consistent with the literature and previous effects analyses (78 FR 47590). Though studies have shown detectability and accumulation of fugitive dust outside this buffer, the Service reasons this adequately encompasses the primary dust effects potentially placed on the environment from the Proposed Action.

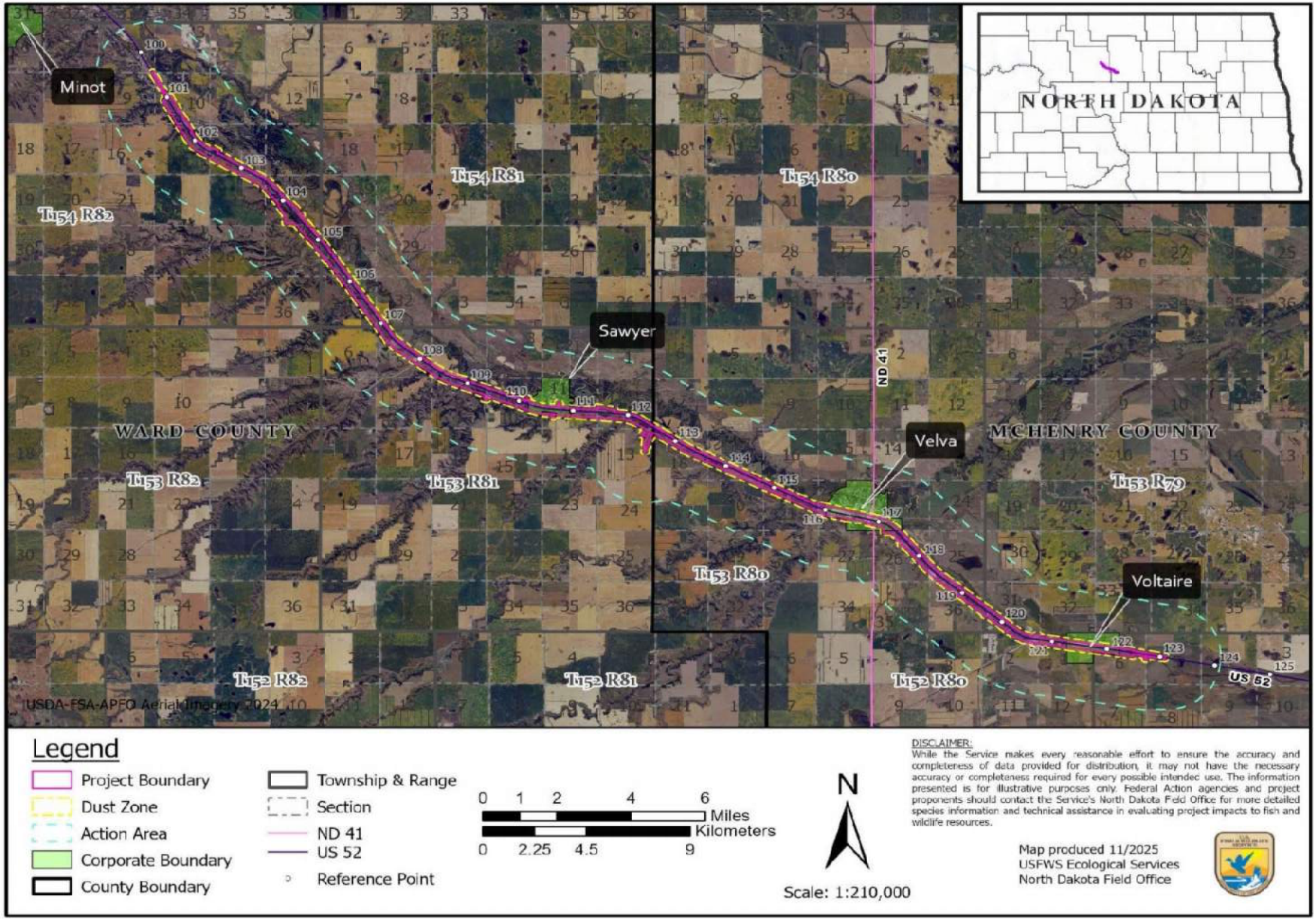


Figure 5: Proposed Action Location Showing Project Boundary, Dust Zone, & Action Area

3.0 STATUS OF THE SPECIES & CRITICAL HABITAT: DAKOTA SKIPPER

Pursuant to implementing regulations (50 C.F.R. § 402.14 (g)(2)), the Service has a responsibility to "evaluate the current status…of the listed species or critical habitat" during formal consultation. The status of the species is based on an analysis of appropriate information, such as the species' life history, habitat and distribution, and other data on factors related to its survival and recovery. This analysis considers the effects of past human and natural activities or events that have led to the current status of the species. Pertinent information is gathered from various materials such as listing rules – including critical habitat designations, recovery plans, scientific studies and databases.

3.1 LEGAL STATUS

The Federal Register (FR) notice of a final rule for the Dakota skipper (*Hesperia dacotae*) was published on October 24, 2014, which established the species as threatened species status under the ESA with a 4(d) rule (79 FR 63672). The listing of the Dakota skipper and the 4(d) rule became effective November 24, 2014. The Service designated 19,903 acres (8,054 hectares) of critical habitat for this species on October 1, 2015 (80 FR 59247).

3.2 SPECIES DESCRIPTION

The Dakota skipper (*Hesperia dacotae*) is a member of the "branded" skipper family Hesperiidae, first described in 1911 from collections taken at Volga, South Dakota, and Grinnell, Iowa (Skinner 1911 *in* Royer and Marrone 1992). It is a small to medium-sized butterfly with a robust body, narrow angular forewings, and shorter more rounded hind wings, with a wingspan of 2.4-3.2 centimeters (cm) [0.9 to 1.3 inches (in)] and hooked antennae (Royer and Marrone 1992). The dorsal surface of adult male wings ranges in color from tawny orange to brown and with prominent marks on the forewing; the ventral surface is a dusty yellow-orange (Royer and Marrone 1992). The dorsal surface of adult females is darker brown with diffused tawny orange spots and a few diffused white spots restricted to the margin of the forewing; the ventral surface is a dusty gray-brown with a faint white spotband across the middle of the wing (Royer and Marrone 1992). Dakota skipper pupae are reddish-brown, and the larvae are light brown with a black collar and dark brown head (McCabe 1981) with early instars being described as green with a dark head and collar (Dana 2018, pers. comm. *in* USFWS 2018).

Figure 6: A) Larva emerging from egg; B) Later stage larva; C) Adult female; D) Adult Male, stigma hidden – *Source: USFWS 2018*

3.3 SPECIES GENERAL LIFE HISTORY

Dakota skippers undergo four fundamental life stages: egg, larva, pupa, and adult. Dakota skippers are univoltine (having a single flight per year), with an adult flight period that may occur from the middle of June through the end of July (McCabe 1979, 1981; Dana 1991; Royer and Marrone 1992; Skadsen 1997; Swengel and Swengel 1999; Rigney 2013). This flight period varies across the range, and from year-to-year depending on climatic conditions, but within a locality it usually lasts 2 to 4 weeks; the adult lifespan is potentially 3 weeks long, but the average life span is typically between 3 and 10 days (McCabe and Post 1977; McCabe 1979, 1981; Braker 1985; Dana 1991, Swengel and Swengel 1999).

Mating occurs during the Dakota skipper flight period. Adult males can be observed exhibiting perching behavior (sitting on a tall plant) or patrolling in search of mating opportunities (Royer and Marrone 1992; Royer et al. 2014). In Minnesota, perched males were found on flowers growing 0.3-0.5 meters (m) above the grass canopy from which they left to chase any potential mating opportunity (Dana 1991). Each adult female can lay between 180 and 250 eggs throughout the flight period (Dana 1991). Eggs are laid on various broadleaf plants and grasses, where they incubate for approximately 7 to 20 days prior to hatching – a process likely completed before the end of July (Dana 1991, Runquist 2014, pers. comm. *in* 79 FR 63672). Under controlled captive rearing conditions, Dakota skipper eggs hatched after 11 to 16 days with most of the caterpillars hatching on the 13th and 14th day (Runquist 2014, pers. comm. *in* USFWS 2018).

After hatching, Dakota skipper larvae crawl to the base of grass plants where they form shelters at or below the ground surface (between 0-2 cm deep). The shelters are built with silk, fastened together with plant tissue and are reconstructed 2 or 3 times to accommodate larval growth (Dana 1991). At night, Dakota skipper larvae emerge from constructed shelters to forage and appear to clip blades of grass to bring with them back to their shelters to consume (Dana 1991, Dana 2012 pers. comm. *in* 79 FR 63672; McCabe 1979, 1981; Royer and Marrone 1992).

During their life cycle, Dakota skippers have six or seven larval stages (instars) and overwinter (diapause) in their ground level or subsurface shelters during their fourth or fifth instar (Dana 1991). In the spring, larvae emerge to resume feeding and undergo two additional molts before they pupate. During these last two instars, larvae shift from construction of buried shelters to horizontal shelters at the soil surface (Dana 1991).

3.4 SPECIES HABITAT REQUIREMENTS

Dakota skippers have been documented throughout wet-mesic tallgrass prairies and dry-mesic mixed grass prairies (Royer and Marrone 1992**;** Royer et al. 2008). Adult Dakota skippers need regular access to nectar sources, which provides the necessary water and carbohydrates to support survival and reproduction (Dana 1991). Unlike other skipper species, adult Dakota skippers do not obtain water from mud, pond margins, or other surface water features (Dana 1991). Larval Dakota skippers survival partly relies on the microclimate (i.e., relative humidity and temperature) at the soil surface/subsurface (0-2 cm deep), which makes it an important larval habitat element (USFWS 2018). During spring and winter, Dakota skipper larvae are especially vulnerable to desiccation (drying out) from drought (Royer 2016 per. comm. *in* USFWS 2018) During the summer months larval desiccation can also be a concern if vertical water distribution – movement of shallow groundwater to the soil surface – is not present; and if severe enough, direct adult mortality can occur

due to a lack of nectar sources (USFWS 2018). Over winter, it is thought humidity may be an essential component for larval survival since the larvae cannot take in water during that time (Royer et al. 2008, Dana 2013 pers. comm. *in* 79 FR 63672).

Dakota skipper larvae require native grasses with dense clusters of erect blades with abundant edible leaf tissue for them to forage and build their shelters (Dana 1991). Dakota skipper larvae feed on several native grass species, such as *Panicum* spp., *Poa* spp., and *Dichanthelium* spp., with little bluestem (*Schizachyrium scoparium*) observed as a frequent food source (Dana 1991, Royer and Marrone 1992). Large leaf blades, leaf hairs, and the distance from larval ground shelters to palatable leaf parts preclude the value of certain native grasses, such as big bluestem (*Andropogon gerardii*) and Indiangrass (*Sorghastrum nutans*), as larval food plants, particularly at younger larval stages (Dana 1991). Morphological unsuitability for shelter building and foraging was shown by a captive rearing study where some Dakota skipper larvae were only given access to certain native and introduced grass species. Two invasive species, Kentucky bluegrass (*Poa pratensis*) and smooth brome (*Bromus inermis*), used as host grasses resulted in reduced survivorship, reduced weight, and delayed pupation (Runquist & Nordmeyer 2018).

In 2008, an extensive categorization of the non-biotic environmental features found in prairies with Dakota skipper populations was completed (Royer et al. 2008). From this study, researchers were able to define Dakota skipper "suitable habitat" – habitat that contains the necessary elements for breeding, feeding, and sheltering behaviors – into two core types: "Type A" and "Type B" (further defined below) (Royer et al. 2008). Other herbaceous habitats that do not meet "suitable habitat" (i.e., Type A or Type B habitat) can be important, such as "dispersal/foraging habitat" – habitat lacking some components necessary for reproduction. Dispersal/foraging habitat usually consists of undeveloped open areas dominated by perennial grass with limited or no barriers to dispersal and tree or shrub cover usually less than 25 percent of the area.

Type A habitat consists of low wet-mesic prairie with little topographic relief that occurs on near-shore glacial lake deposits. These areas can have a high-water table and be subject to intermittent flooding in the spring. However, there is sufficient relief, via depressional wetlands (low topographical areas that allow for surface water collection), extensive flat areas, and convex landforms, to provide necessary non-inundated habitat during the spring larval growth period (Royer et al. 2008). Type A habitat occurs primarily in North Dakota, central and western Manitoba, Canada – specifically the "Interlake" region (between lakes Winnipeg and Manitoba) of central Manitoba (Westwood 2018 per. comm. *in* USFWS 2018) – and potentially portions of northeastern South Dakota (Skadsen 1997; Royer et al. 2008; USFWS 2018). This core habitat type is typically dominated by bluestem grasses, and has three primary forb species, wood lily (prairie lily; *Lilium philadelphicum*), bluebell bellflower (*Campanula rotundifolia*), and mountain deathcamas (smooth camas; *Zigadenus elegans*), that are always present and blooming during the Dakota skipper flight period (McCabe 1981). Other forbs that are present in this community include Rocky Mountain blazing star (*Liatris ligulistylis*), Canada goldenrod (*Solidago canadensis*), strict blue-eyed grass (*Sisyrinchium montanum*), common goldstar (*Hypoxis hirsuta*), and black-eyed Susan (*Rudbeckia hirta*) (Lenz 1999). Type A habitat will also usually contain small patches of dry-mesic prairie that contains forbs such as, stiff sunflower (*Helianthus pauciflorus*) and candle anenome (*Anemone cylindrica*) (Lenz 1999).

Not only is there some variation in the plant species composition of Type A habitat across the range, but Dakota skipper nectaring preferences also appear to vary. Reported use of the three primary forbs indicative of Type A habitat differed between North Dakota and Manitoba populations. North Dakota populations showed use of bluebell bellflower and mountain deathcamas but McCabe added that "At no stage is the skipper dependent on camas…" (McCabe 1981). Manitoba populations, however, showed no use of bluebell bellflower or wood lily as a nectar source and mountain deathcamas comprised <1% of all nectaring observations (Rigney 2013). Though Dakota skippers have been overwhelmingly observed using native forbs, there has been observations of some nonnative forb use, such as white sweet clover (*Melilotus alba*) in Manitoba (Rigney 2013). For both North Dakota and Manitoba populations, observations of nectaring were more frequently reported for black-eyed Susan than on any other on-site plant species (MaCabe 1981; Rigney 2013) indicating its importance as a Type A habitat nectar source across the range. These observations indicate that Dakota skippers appear opportunistic in their foraging, habitats, and appear to nectar on flowers that are blooming during their flight period.

Type B habitat occurs primarily on rolling terrain over gravelly glacial moraine deposits in Minnesota, North Dakota, South Dakota, and western Manitoba (USFWS 2018). Type B habitat is dominated by little bluestem (*Schyzachirum scoparium*), needle or porcupine grasses (*Hesperostipa* spp.), big bluestem, and sideoats grama (*Bouteloua curtipendula*) (Royer et al. 2008); prairie dropseed (*Sporobolus heterolepis*) is also common in the eastern portion of the range (Skadsen 2006). Similar to Type A habitat, wood lily and bluebell bellflower are present, but purple coneflower (*Echinacea angustifolia*) appears to be the most visited forb species used as a nectar source during the adult flight in this core habitat type (McCabe 1981; Dana 1991; Swengel and Swengel 1999). Other Type B habitat forb species include upright prairie coneflower (*Ratibida columnifera*) purple prairie clover (*Dalea purpurea*), white prairie clover (*D. candida*), yellow sundrops (*Calylophus serrulatus*), lambstongue groundsel (*Senecio integerrimus*), groundplum milkvetch (*Astragalus crassicarpus*), eastern pasqueflower (*Pulsatilla patens*), old man's whiskers (prairie smoke, *Geum triflorum*), western silver aster (*Symphyotrichum sericeum*), dotted blazing star (*Liatris punctata*), tall blazing star (*Liatris aspera*), meadow zizia (heartleaf golden alexanders; *Zizia aptera*), blanket flower (*Gaillardia* sp.), prairie sagewort (*Artemisia frigida*), leadplant (*Amorpha canescens*), and prairie milkvetch (*Astragalus laxmannii*) (Dana 1997; Skadsen 2006).

3.4.1 North Dakota Habitat

In North Dakota, these wet- and dry-mesic prairie habitats (i.e., Type A and Type B) can be found along the rolling terrain of river valleys, glacial lake shores, and the Missouri Coteau typified by bluestem and needle grasses, with typical forbs such as wood lily, bluebell bellflower, coneflowers, and other asters as nectar sources (Royer and Marrone 1992; Royer et al. 2008). Many of the suitable prairie remnants found throughout North Dakota have persisted over time due to the steep topography and unsuitable soils for agriculture use (Royer and Marrone 1992). However, many of these prairie remnants are undergoing invasion from introduced species, such as Kentucky bluegrass and smooth brome, that have unsuitable morphology for adequate larval shelter building (Runquist & Nordmeyer 2018) and displace or extirpate native larval food plants (78 RF 63578).

3.5 SPECIES RANGEWIDE DISTRIBUTION

Dakota skippers were historically found in native prairies across five U.S. states (Illinois, Iowa, Minnesota, North Dakota, and South Dakota) and two Canadian provinces (Manitoba and Saskatchewan) (Figure 9). It was speculated that Dakota skipper populations might also occur in far eastern Montana and southeastern Saskatchewan, as habitats similar to those occupied by the species in northwestern North Dakota exists there (Royer and Marrone 1992). After 40 years of searching, the Dakota skipper was subsequently found in Saskatchewan in 2001 (Hooper 2002, pers. comm. *in* 79 FR 63672); no actual records have been found in Montana and Royer (2002, pers. comm. *in* 79 FR 63672) no longer thinks the species has occurred in Montana. The last known occurrence record of the species in Illinois was 1911 and in Iowa was 2000 (USFWS 2018). The species is presumed to be extirpated from Illinois, Iowa, and southeastern Minnesota (79 FR 63672).

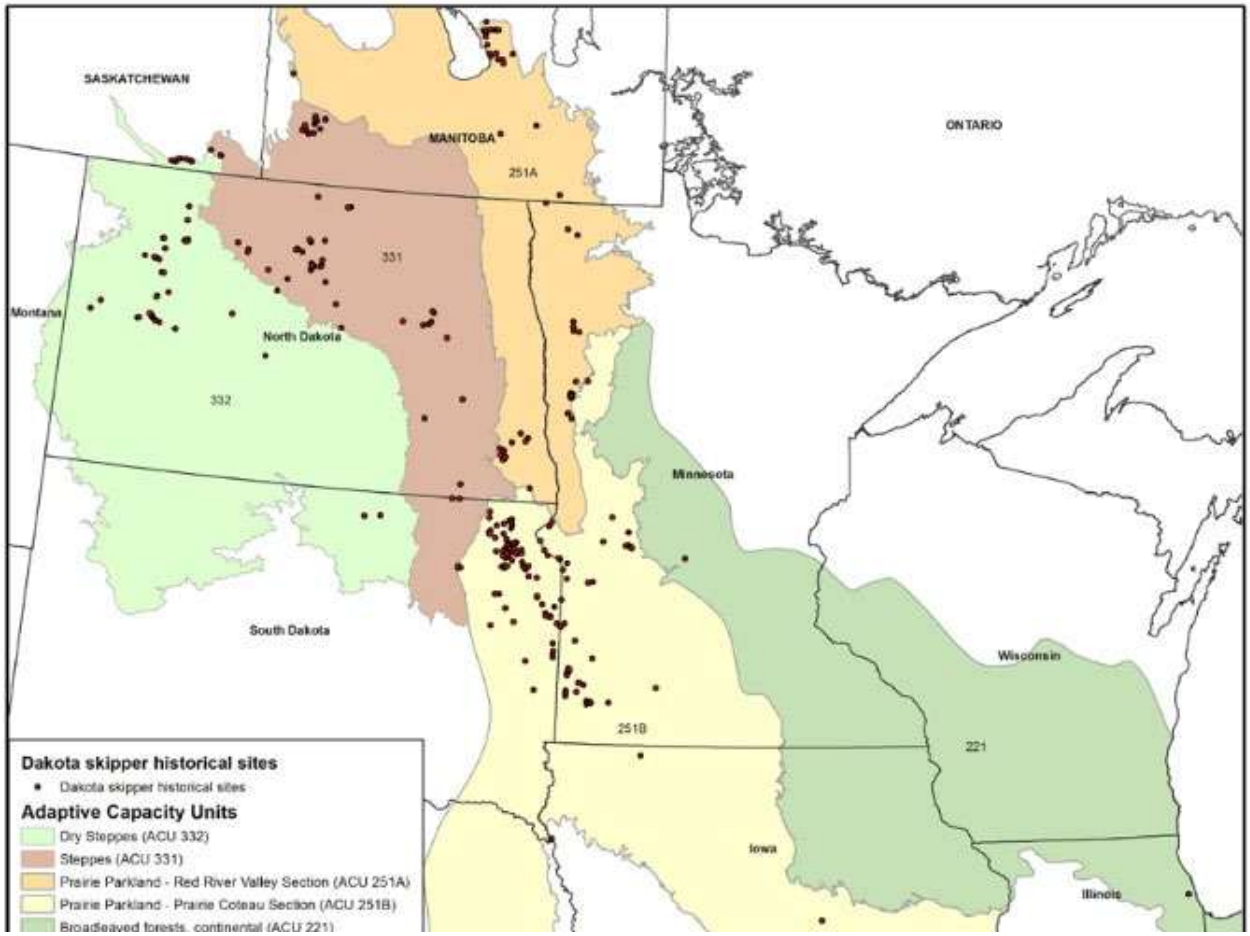


Figure 7: Adaptive Capacity Units (colored zones) represent the presumed historic distribution of the Dakota Skipper; Dots represent historic Dakota skipper survey sites up to 2017 – *Source: USFWS 2018*

The Service's ability to precisely define the species' historic distribution is limited due to widespread conversion of prairie to other land uses before the first reported record of the species. Prior to the 1960s, few records exist. As such, these historically known populations are likely a fragmented remnant of what was once a larger panmictic Dakota skipper population. This presumption, that Dakota skippers formerly had a relatively continuous distribution across the historic range, is supported by an analysis that found small genetic divergence (genetic distance) among sites in

Minnesota and South Dakota, indicating these populations were once connected (Britten and Glasford 2002). Today, the Dakota skipper and its habitat continue to experience declines. Habitat destruction and degradation has and continues to be the main threat, limiting populations to the current, sometimes fragmented, native prairie remnants in three U.S. states (Minnesota, North Dakota, and South Dakota) and two Canadian provinces (McCabe 1981; Royer and Marrone 1992; Schlicht and Saunders 1994; Royer 1997; Schlicht 1997, 1997a; Skadsen 1997, 1999; Swengel and Swengel 1999; 79 FR 63672; USFWS 2018).

To aid ESA consultations in the United States, the Service has defined the current Dakota skipper range using course grassland modeling and Dakota skipper observations (USFWS 2023). The current range consist of approximately 18,550,274 acres across Minnesota, North Dakota, and South Dakota; approximately 14,995,575 acres of the current U.S. range resides in North Dakota (Figure 10).

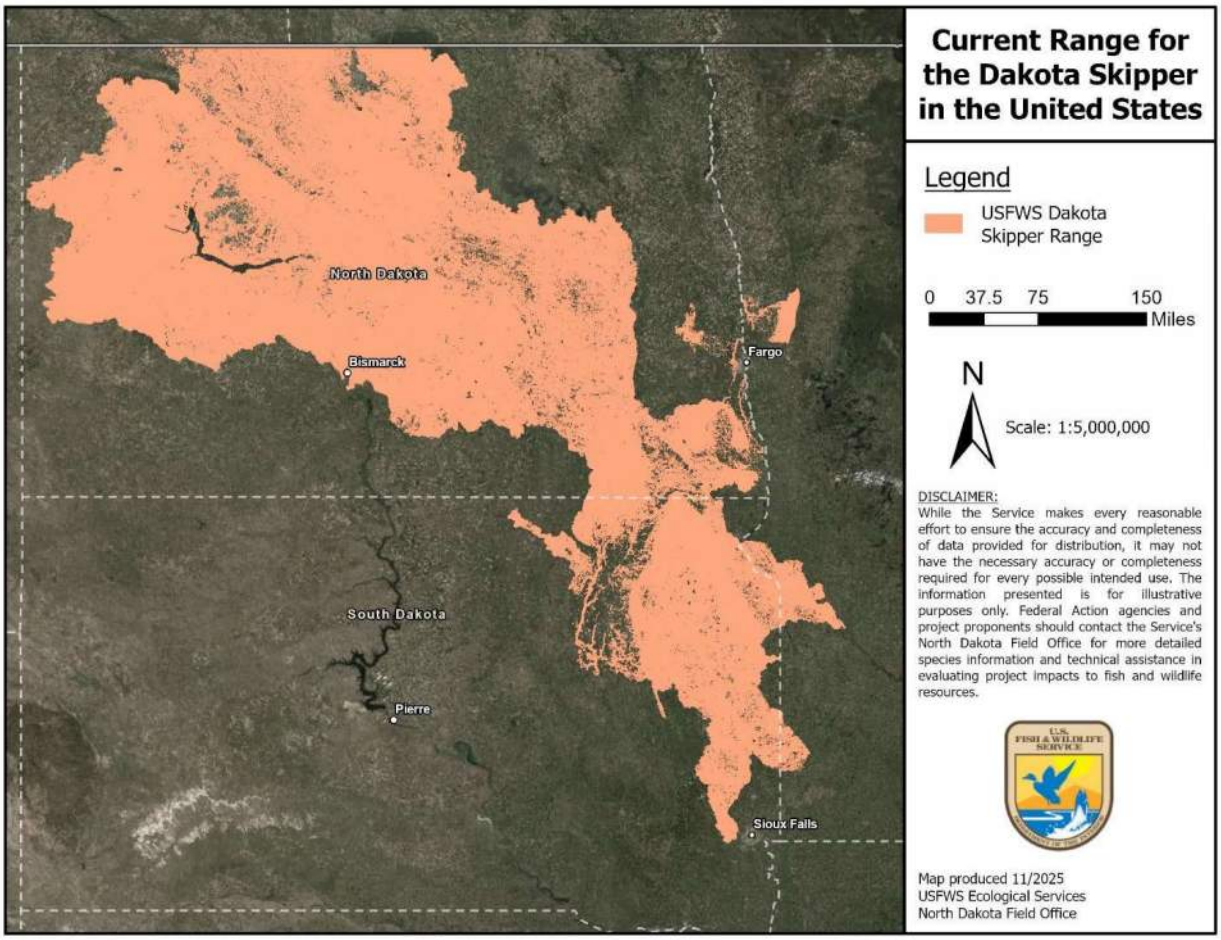


Figure 8: Current Dakota Skipper Range in the United States – *Source: USFWS 2023*

Though Dakota skippers have a faster, more powerful flight than most butterflies, thanks to a thick, well-muscled thorax (Scott 1986), they are not known to disperse widely due in part to a short adult life span and single annual flight. Experts estimate the Dakota skipper has a mean mobility of 3.5 (standard deviation = 0.7) on a scale of 0 (sedentary) to 10 (highly mobile) (Burke et al. 2011; Fitzsimmons 2012 pers. comm. *in* 79 FR 63672). In a mark-recapture study, the average adult movement of Dakota skippers was less than 300 m (984 feet [ft]) over a 3-to-7-day period. This is

reduced to less than 200 m (656 ft.) when unsuitable habitat is located between two prairie patches (Dana 1991). Furthermore, Dakota skippers are observed moving along ridges more frequently than across valleys, even less so when those valleys contain other suspected impediments for movement such as roads and crop fields. One researcher did report adult Dakota skipper movement of at least 800 m (2625 ft) between two sites, connected by native vegetation of varying quality interspersed with roads; however, the site they moved into had unusually heavy purple coneflower growth that year (Skadsen 1999; Skadsen 2001 pers. comm. *in* 79 FR 63672) Therefore, it is generally understood that Dakota skippers may be incapable of movements greater than 1 kilometer (km) (3281 ft) between patches of prairie habitat; and, though not inclined to disperse, activity areas likely shift in response to nectar source availability or perceived mating opportunity (Royer and Marrone 1992; McCabe 1979, 1981; Cochrane and Delphey 2002). Thus, species' extirpation from a site is likely permanent unless located within about 1 km of another site that generates a sufficient number of emigrants, or they are artificially reintroduced to a site (79 FR 63672).

To better understand population level status, the Service grouped confirmed Dakota skipper observation records into metapopulations, comprised of subpopulations occupying habitat patches that are on average less than 5 km but no more than 6.5 km from one another (USFWS 2018). At this distance, uncertainties regarding the shape and extent of the habitat patch containing an observation point are addressed (see USFWS 2018 for more details).

Based on all known historical records, at least 145 metapopulations, comprised of approximately 303 subpopulations have existed across the range (USFWS 2018). However, the historical distribution of the Dakota skipper may never be precisely known because "much of the tallgrass prairie was extirpated prior to extensive ecological study" (Steinauer and Collins 1994), such as butterfly surveys, and likely before the species was first described in 1911 (Skinner).

As of 2017, the fragmented Dakota skipper population consists of 75 metapopulations comprised of approximately 157 subpopulations (USFWS 2018). Many of these identified metapopulations (42 out of 75 (56%)) have a less than 0.5 predicted probability of persistence; however, the actual health of these populations may be overstated (USFWS 2018). Subpopulation health can further inform status of the species. Of the 157 subpopulations identified only five (5) have more than a 70% chance of survival, with a vast majority (78%) of subpopulations having less than a 50% chance of survival, over the next 10 years (USFWS 2018).

It's important to note here that since the 2014 ESA listing (79 FR 63672) and publication of the Service's Species Status Assessment (SSA; USFWS 2018), survey efforts have significantly increased, and new Dakota skipper occurrence locations have been documented. The Service does not attempt herein to re-distinguish these larger spatially separated populations (i.e., metapopulation) and their inter-connectivity (i.e., subpopulations) with the survey data acquired post-publication of the Service's SSA (USFWS 2018).

To allow for the incorporation of all data here in the Service's assessment of the species status, all locations with Dakota skippers historic or current occupancy will hereafter be referred to as either a "site", "documented site", or "occurrence site" (i.e., a location in which a survey has occurred and indicated presence of the Dakota skipper at one time, either historically or currently). These sites will then be further distinguished into status classifications such as "present", "unknown", "possibly

extirpated", or "extirpated" (see 79 FR 63672 p. 63675, *Species Occupancy* section for details on status classification distinctions).

The Service's Dakota skipper database (USFWS 2025 unpubl. geodatabase) contains 352 historically documented sites across the range of the species. Currently, the Service considers the status for 158 sites to be present; 2 possibly present but inconclusive; 68 sites as unknown; 5 possibly extirpated; and 119 extirpated. Approximately 25 percent (40 of 158) of these sites where the species is considered to be present are located in Canada, mostly within 3 isolated complexes consisting of observations between 2002 and 2012 with no subsequent survey information since 2012 (USFWS 2025 unpubl. geodatabase).

3.6 SPECIES NORTH DAKOTA DISTRIBUTION

At the time of listing (79 FR 63672), the Service's Dakota skipper database (USFWS 2014 unpubl. geodatabase) indicated North Dakota contained approximately 21% (54 sites distributed among 18 counties) of all known historic locations range wide. Of those sites, the Dakota skipper was considered present at 16 sites in 12 North Dakota counties; possibly extirpated in 3 counties, and presumed extirpated from 4 counties, likely due to heavy grazing, weed control, and other disturbance stressors (Royer 1997; 79 FR 63672). The average encounter frequencies observed across the State in 2014 was 2.67 encounters per hour. This continued a downward trend being lower than the 1996-1997 state-wide surveys (ND State average = 17.39 encounters per hour) and 2012 state-wide surveys (ND State average = 9.36 encounters per hour) using the same methodology (Royer et al. 2014). A majority of sites with presence during this time were in either the Towner-Karlsruhe complex or Sheyenne National Grassland complex.

3.6.1 Towner-Karlsruhe Complex

The Towner-Karlsruhe complex, found in McHenry County, North Dakota, has been considered a state stronghold for the species with long-standing sites that have been surveyed dating back to the 1970s (Cochrane and Delphey 2002; Royer et al. 2014). Of the 16 identified North Dakota sites with Dakota skipper presence, in the 2014 listing decision, 11 occur in the Towner-Karlsruhe complex (79 FR 63672). These sites are found on a combination of North Dakota state land and privately owned land comprised of Type A habitat linked by native prairie remnants and highway ROW that contains native prairie vegetation (Royer and Marrone 1992; Royer et al. 2008; Royer and Royer 2012). In 1999, it was estimated that about 30% of the Towner-Karlsruhe complex still contained native prairie (Lenz 1999). Though in 2002, none of these sites were described as secure since each is subject to private or state management options that could extirpate Dakota skippers from the site (Cochrane and Delphey 2002). More recent observations indicate that several of the native prairie sites have been invaded, to varying extents, by nonnative species and several are subject to intense grazing or early haying (Royer and Royer 2012, 2012a; Royer et al. 2014). However, a number of other factors suggest a general deterioration in amount and quality of Dakota skipper habitat since the 1990s (Royer and Royer 2012). Factors noted include frequent or continuous grazing pressure history, lack of proper forb dominance, leafy spurge incursion, regular spraying, and improper haying timeframes.

3.6.2 Sheyenne National Grasslands

The Sheyenne National Grasslands complex, in southeastern North Dakota, contains a mix of Type A and Type B habitat. However, this complex has experienced significant invasion from introduced species, particularly from leafy spurge, which has resulted in significant degradation of the native prairie habitat in this region. Other effects, such as grazing pressure and pesticides used to control introduced/non-native plants and grasshoppers, may also have influenced the degradation of native patches. For these reasons, Royer (1997) indicated that extirpation of Dakota skippers from the Sheyenne National Grasslands complex is almost certain to occur.

Between the 1980's and early 2000's, researchers continued to survey for Dakota skippers in the Sheyenne National Grasslands but found the habitat and populations to be diminishing. For example, the McLeod Prairie – considered by McCabe (1979) as one of the best sites for Dakota skippers in North Dakota – has since been significantly modified by leafy spurge invasion, resulting in the Dakota skipper being entirely extirpated from the site (Royer 1997). Furthermore, the Brown Ranch site in Ransom County, North Dakota – once suggested as having the potential to support a metapopulation of Dakota skippers (Orwig 1995) – had its Dakota skipper population in 2003 described as either disappearing or having a bad year; by 2012 Dakota skippers were no longer found on site likely due to the frequent intense grazing rotation and patchy distribution of habitat islands (Spomer 2003; Royer and Royer 2012). The most recent surveys in the Sheyenne National Grasslands complex were conducted in 2022 by the U.S Forest Service (USFS) but no Dakota skippers have been observed in the complex since 2003. As it is now post-three years of negative occupancy surveys at each historic site in the Sheyenne National Grasslands complex, the Service considers the Dakota skipper to be currently extirpated throughout the Sheyenne Grasslands.

3.6.3 Post-Listing North Dakota Distribution

North-central and western North Dakota may play a significant role in the species' long-term conservation, particularly the Bakken region. Since the 2014 listing decision, survey efforts in North Dakota have significantly increased the number of new populations and corresponding sites where the species has been found, most occurring in McKenzie, Mountrail, and Dunn counties. A review of the Service's most recent database shows the Dakota skipper to now be considered present at 102 sites in 13 North Dakota counties, unknown at 12 sites, possibly extirpated at 2 sites, inconclusive at 2 sites, and extirpated at 25 sites (USFWS 2025, unpubl. geodatabase).

Between 2014 and 2022, the amount of North Dakota sites with Dakota skipper presence increased nearly sevenfold (from 16 to 102); though it should also be noted that many other sites, approximately 255, were surveyed that did not detect Dakota skipper presence (USFWS 2025, unpublished. geodatabase). Most of the new observations (86 sites) were found outside the Towner-Karlsruhe and Sheyenne National Grassland complexes, with most occurring in McKenzie and Dunn counties. This increase in observations was likely aided by a combination of efforts from oil and gas companies conducting surveys prior to developments, and the recent modeling efforts that shows locations across the range with habitat that should contain all the constituent elements necessary for Dakota skipper presence (Seidle et al. 2020; Barnes et al. 2024). These new models provide researchers with starting points for surveys in areas that have a high likelihood of detection and continue to be used to aid ongoing survey efforts.

3.7 THREATS

In the most recent Species Status Assessment (SSA), the Service reviewed negative impacts that have affected the Dakota skipper either historically, currently, or are likely to in the future (USFWS 2018). Factors identified as negatively impacting the Dakota skipper are collectively referred to as "risk factors". The risk factors of occupied and historically occupied Dakota skipper sites between 1905 and 2017 were assessed to understand what lead to the species' current condition (USFWS 2018). It is understood that loss and degradation of the remaining native prairie patches pose the biggest threats to the species' continued existence. Factors responsible for continued habitat loss, fragmentation, and degradation includes: conversion of native prairie for agriculture or urbanization; ecological succession of native prairie to habitats dominated by brush or trees; impacts from oil and gas development; invasive species; direct and indirect effects of pesticides, including herbicides; flooding; and land management regimes (e.g., grazing, haying, or fire) if done in a fashion that degrades the species' habitat (USFWS 2021). A thorough analysis of the potential threats impacting the Dakota skipper has been published in the final listing rule and the SSA (79 FR 63672; USFWS 2018).

3.8 RECOVERY NEEDS AND EFFORTS

Used in context of the ESA, the terms "conserve," "conserving," and "conservation" are those methods and procedures necessary to bring a listed species to a point where the species no longer needs ESA protection (ESA § 3(3)). For purposes of this Opinion, conservation is considered to be synonymous with the species' survival and recovery needs.

The recovery vision for the Dakota skipper is founded on three ecological principles, "redundancy", "representation", and "resiliency," which are common building blocks used to develop robust conservation strategies (Redford et al. 2011).

- ✓ *Redundancy* is defined as multiple, geographically dispersed populations and habitats across a species' range, such that the loss of one population or one unit of habitat will not result in total loss of the species. It provides a margin of safety for a species and/or its habitat to withstand threats, including unforeseen catastrophes.
- ✓ *Representation* is defined as the retention of genetic, morphological, physiological, behavioral, habitat, or ecological diversity of the species so its adaptive capabilities are conserved.
- ✓ *Resilience* is defined as the ability of the species and/or its habitat to recover from disturbances. In general, species are likely to be more resilient if large populations exist in large blocks of high-quality habitat across the full breadth of environmental variability to which the species is adapted.

Therefore, the best conservation strategies anticipate and protect species by ensuring high quality habitat and healthy populations, distributed throughout the geographic range, can withstand and/or adapt to novel or negative changes in their environment. The way redundancy, representation, and resilience can be achieved for the Dakota skipper is to maintain and actively manage the native grasslands that provide the habitat necessary to complete their life cycle (USFWS 2021). Identified conservation needs include evaluation of reintroduction success and habitat restoration success, genetics research, metapopulation boundary establishment, and identification of habitat most likely to contain undiscovered populations. Specifically, actions to create a resilient population include focusing on grassland restoration efforts for the Dakota

skipper near known extant populations, which if successful, would create a larger footprint of suitable habitat that could be expanded into by extant populations.

Significant conservation efforts are being undertaken in cooperation with the United State Forest Service (USFS), Bureau of Land Management (BLM), North Dakota Game and Fish Department (NDGF) and the North Dakota Natural Resources Trust (NDNRT) to monitor known populations, determine the status of historic populations, and discover new populations. Other significant conservation efforts have included development of the Dakota skipper habitat suitability model, captive rearing at the Minnesota Zoo, reintroduction and augmentation efforts in North Dakota and Minnesota, Environmental DNA research, and habitat restoration efforts.

One of the most significant survey efforts over the last five years has been facilitated through the NDNRT. The NDNRT has annually contracted permitted Dakota skipper surveyors survey for the species including monitoring of known populations; revisiting historic, unconfirmed, or presence only populations; and discovering new populations on school trust lands across the state of North Dakota. This effort has been undertaken in partnership with the Service and has led to the discovery of numerous populations over the last several years.

A recent effort has involved habitat modeling that predicts locations across the range that should encompass all the constituent elements necessary for Dakota skipper presence (Seidle et al. 2020; Barnes et al. 2024). Specifically, the Barnes et al. (2024) range-wide Dakota skipper habitat suitability model modeled broad-scale habitat suitability by relating 2010-2021 occurrence data and pseudo-absences to a variety of environmental predictors for the species using a machine learning approach. Compared to the currently defined USFWS Dakota skipper range (USFWS 2023), this model provides a more precise estimation of the probability that Dakota skippers may be present at a particular site and how habitat at the particular site may be connected to the surrounding landscape. This tool is now widely used for conservation planning purposes as well as predicting relative probability of the species occurrence.

To restore extirpated sites, artificial reintroduction has been pursued. The Minnesota zoo has provided support by successfully breeding captive Dakota skipper from 2014-2025. This effort has resulted in several reintroductions with one occurring in North Dakota and the rest in Minnesota. It is yet to be determined if reintroductions or augmentations have been successful.

In 2022 the Service and USGS underwent an eDNA research study. Field crews collected floral resources in areas where Dakota skippers have been observed and if possible, the exact flowers they were observed nectaring on for eDNA analysis. The Minnesota Zoo also collected plant samples from Dakota skippers reared in a controlled environment to further proof of concept. All samples collected from the controlled environment were observed having the species land on them. The results of this study are still preliminary but show some level of ability to detect the species using eDNA.

Habitat restoration efforts are currently underway. This includes work with the NDNRT, the USFS, the BLM, the National Wildlife Refuge System, oil and gas companies, North Dakota State University, and multiple conservation bankers. Resulting plant community restoration success or Dakota skipper use of restored habitat to any extent is yet to be determined.

4.0 ENVIRONMENTAL BASELINE

Pursuant to implementing regulations (50 C.F.R. § 402.14 (g)(2)), the Service has a responsibility to "evaluate the…environmental baseline of the listed species or critical habitat" during formal consultation. The environmental baseline "refers to the condition of the listed species or its designated critical habitat in the action area, without the consequences to the listed species or designated critical habitat caused by the proposed action. The environmental baseline includes the past and present impacts of all Federal, State, or private actions and other human activities in the action area, the anticipated impacts of all proposed Federal projects in the action area that have already undergone formal or early section 7 consultation, and the impact of State or private actions which are contemporaneous with the consultation in process. The impacts to listed species or designated critical habitat from Federal agency activities or existing Federal agency facilities that are not within the agency's discretion to modify are part of the environmental baseline." (50 C.F.R. § 402.02). In other words, this section is an analysis of past and ongoing human and natural factors leading to the status of the species and its habitat (including any designated critical habitat) within the action area, providing a "snapshot" of the species' health at a specified point in time (USFWS & NMFS 1998). The environmental baseline analysis does not consider the effects of the action under review herein.

4.1 LAND USE

The Proposed Action is situated within the Northern Glaciated Plains (Level III ecoregion; Bryce et al. 1996), specifically within the Drift Plains (Level IV ecoregion; Bryce et al. 1996). The Drift Plains are characterized by their subtle rolling topography, where seasonal wetlands are more prominent than semipermanent wetlands. Historically, grasslands in this region were a mix of tallgrass and shortgrass prairie but are now primarily replaced by cropland (Bryce et al. 1996).

Figure 9: Action Area Landscape Photos – *Source: NDDOT 2025 BA*

The Proposed Action spans across the McHenry–Ward County line in North Dakota along the US 52 corridor. Land use classification of the Proposed Action's defined action area, as identified by the U.S. Geological Survey (USGS) National Land Cover Database (NLCD) in 2021, is primarily comprised of cultivated crop, grassland, and pasture (~75% of the total action area) land use types (USGS 2024). The Souris River, a main water feature that runs along the north side of US 52 from RP100 to RP116 – where it breaks away from the Proposed Action corridor to head northward towards Canada (Figure 10), is where a majority of the woodland classified land use area is located. Developed portions of the action area include the unincorporated community of Logan and the

incorporated boundaries of Sawyer, Velva, and Voltaire; US 52, ND 41, and various other county/city roadways. Residential and commercial properties occur throughout the action area as well. Wetlands and other water features are primarily located in the most southeastern portion of the Proposed Action's action area. There is a one named, small open water feature (Potters Lake) in this southeastern portion of the action area; all other water features are unnamed emergent herbaceous wetlands or named features that have transitioned from open water to an emergent herbaceous wetland (Erikson Lake; USGS 2024). Table 5 and Figure 10 quantify and map the land use types within the action area, dust zone, and project boundary.

Table 5: Existing Land Use within the Action Area, Dust Zone, and Project Boundary – *Source: USGS 2024: National Land Cover Data - 2021*

NLDC Classifier	Land Use	Action Area (1 mile buffer)		Dust Zone (300ft buffer)		Project Boundary	
		Percentage	Approx. Acreage	Percentage	Approx. Acreage	Percentage	Approx. Acreage
Open Water	Open Water	0.58%	196.54	0.25%	9.61	0%	0
Developed Open Space	Developed	7.75%	2,606.43	22.43%	850.95	30.48%	624.32
Developed Low Intensity							
Developed Medium Intensity							
Developed High Intensity							
Barren Land	Barren Land	0.10%	33.67	0.02%	0.66	0%	0
Deciduous Forest	Woodland	3.53%	1,186.91	3.34%	126.87	2.81%	57.47
Evergreen Forest							
Mixed Forest							
Shrub/Scrub	Shrubland	0.05%	16.83	0.01%	0.44	0.02%	0.44
Grassland/Herbaceous	**Grassland**	**20.88%**	**7,019.57**	**29.73%**	**1,127.83**	**30.90%**	**632.87**
Pasture/Hay	**Pasture**	**20.20%**	**6,791.55**	**20.75%**	**787.19**	**18.99%**	**388.94**
Cultivated Crops	Cultivated	33.41%	11,231.80	14.37%	545.24	10.18%	208.40
Woody Wetlands	Wetlands	13.49%	4,534.69	9.10%	345.23	6.62%	135.57
Emergent Herbaceous Wetlands							
	Total:	**100**	**33,618**	**100**	**3,794**	**100**	**2,049**

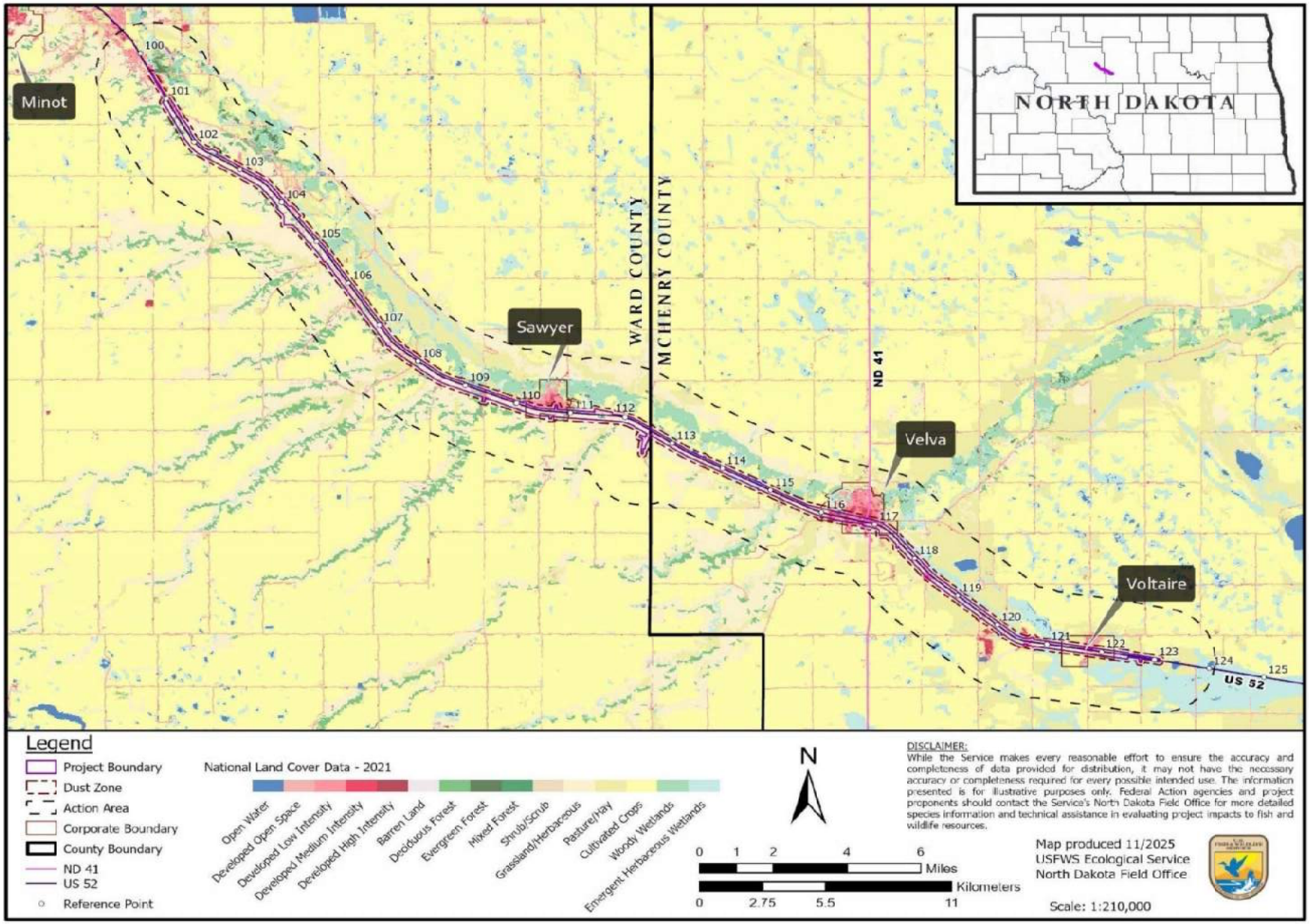


Figure 10: Land Use Classifications at the Proposed Action – *Source: USGS 2024: National Land Cover Data – 2021*

4.2 STATUS OF THE SPECIES IN THE ACTION AREA

4.2.1 Landscape Connectivity

The Proposed Action is located among an abundance of patchwork agriculture, prairie pothole wetlands, remanent grasslands, and some development land use features (Figure 10). The Dakota skipper habitat suitability model (DASK Model) indicates where suitable habitat for the Dakota skipper is most likely to occur (Barnes et al. 2024). At the Proposed Action, modeled habitat is primarily contained to the various draws and the upland edges of water features left unconverted to another land use (Figure 12). This modeled habitat is rather contiguous along the Proposed Action corridor. Recent aerial imagery is used to help identify where potential dispersal barriers currently exist on the landscape. To provide real-time conditions of habitat, a qualitative visual assessment for suitable Dakota skipper habitat was completed within the Proposed Action's project boundary.

To assess landscape connectivity of the Proposed Action, the USFWS Dakota skipper range (USFWS 2023) is used in conjunction with on-site delineated Dakota skipper habitat (NDDOT 2025 BA) and the DASK Model (Barnes et al. 2024) to refine the environmental baseline analysis herein. When evaluating landscape connectivity, the Service assumes the maximum dispersal distance for the Dakota skipper to be 1 km (0.62 miles); see SPECIES RANGEWIDE DISTRIBUTION section for more details. In other words, suitable habitat separated by more than 1 km are considered geographically isolated from one another in this analysis.

The Proposed Action's defined action area is roughly 33,618 acres; of that, approximately 23,965 acres overlap with the USFWS Dakota skipper range (Figure 12). Land use classifications indicate approximately 13,811 acres (~41%) of the action area is grassland or pastureland (i.e., the land use classifications most likely to contain suitable habitat for the Dakota skipper) (Table 5, Figure 10; USGS 2024). The DASK Model further refines this assessment indicating approximately 10,084 acres (~30%) of the action area to have a predicted habitat suitability index ≥ 50% (Table 6, Figure 12; Barnes et al. 2024).

The Proposed Action's dust zone is roughly 3,794 acres; of that, approximately 3,213 acres overlap with the USFWS Dakota skipper range (Figure 12). Land use classifications indicate approximately 1,915 acres (~50%) of the dust zone is grassland or pastureland (Table 5, Figure 10; USGS 2024). The DASK Model further refines this assessment indicating approximately 1,385 acres (~37%) of the dust zone have a predicted habitat suitability index ≥ 50% (Table 6, Figure 12; Barnes et al. 2024).

The Proposed Action's project boundary (i.e., project footprint) is approximately 2,049 acres, of which roughly 1,779 acres overlap with the USFWS Dakota skipper range (Figure 12). Land use classifications indicate approximately 1,022 acres (~50%) of the project boundary is grassland or pastureland (Table 5, Figure 10; USGS 2024). The DASK Model further refines this assessment indicating approximately 759 acres (~37%) of the project boundary have a predicted habitat suitability index ≥ 50% (Table 6, Figure 12; Barnes et al. 2024). The project boundary can be further refined in this analysis as the completed qualitative visual assessment provides timely on-site habitat

suitability information (see Section 4.2.2 for more detail). A total of 34.03* acres of suitable Dakota skipper habitat was delineated on-site. All delineated patches of suitable habitat, except for one (Patch ID 10 [Table 7]; also the only patch located within a corporate boundary), did overlap with areas of the DASK Model that have a predicted habitat suitability index ≥ 50% (Figure 12).

Table 6: Probably of Suitable Habitat for the Dakota Skipper within the Action Area, Dust Zone, and Project Boundary – *Source: Barnes et al. 2024 – DASK Model*

Dakota Skipper: Predicted Habitat Suitability Index	Action Area (1 mile Buffer)		Dust Zone (300 ft Buffer)		Project Boundary	
	Percentage	Approx. Acreage	Percentage	Approx. Acreage	Percentage	Approx. Acreage
1 – 29 [Low]	52.8%	17,750.64	36.6%	1,387.89	33.5%	686.41
30 – 49	17.2%	5,783.05	26.9%	1,020.89	29.4%	603.14
50 – 69	14.6%	4,915.82	21.1%	800.55	22.0%	450.19
70 – 89	12.1%	4,066.82	13.2%	499.43	12.9%	265.17
90 – 99 [High]	3.3%	1,101.67	2.2%	85.24	2.2%	44.08
Total:	**100**	**33,618**	**100**	**3,794**	**100**	**2,049**
≥ 50% Probably:	**30%**	**10,084.31**	**36.5%**	**1,385.22**	**37.1%**	**759.44**

4.2.2 Qualitative Visual Habitat Assessment of the Project Boundary

In June of 2024, a qualitative visual habitat assessment identified thirty-six (36) patches, amounting to 31.99* acres, of suitable Dakota skipper habitat within the project boundary. Some suitable patches did extend beyond the limits of the project boundary; these patches were clipped to the project boundary extant prior to the acreage calculation.

The qualitative visual habitat assessment noted presence and abundance of requisite plant species, woody species, and invasive species. Estimates of plant cover, bare ground, litter, and rock were also visually assessed. Field delineated areas of suitable Dakota skipper habitat typically contained two or more requisite forbs and multiple requisite grass species present.

Throughout the project boundary, delineated areas of suitable habitat were often identified on hilltops between wooded draws or ravines associated with Type B habitat (NDDOT 2025 BA). The most commonly identified requisite species consisted of little bluestem, purple coneflower, prairie sagewart, prairie smoke, groundplum milkvetch, and green needlegrass. A variety of other, non-requisite, native species were identified, including field pussytoes (*Antennaria neglecta*), candle anemone (*Anemone cylindrica*), common yarrow (*Achillea millefolium*), western wallflower (*Erysimum capitatum*) and wild bergamont (*Monarda fistulosa*).

*Suitable habitat acreage calculations herein do not match those in the Biological Assessment for the Proposed Action. The Service requested a recalculation due to differing acreage calculations being presented throughout submitted materials. Acreage calculations used herein are the corrected recalculation reflected by the 2026 BA Memo.

All delineated patches of suitable habitat show signs of degraded quality as they contain undesirable species (e.g., Kentucky bluegrass); frequently, undesirable species were identified as a dominant within the suitable habitat patch. Furthermore, these suitable patches were typically surrounded by plant communities made up of undesirable or monoculture species, such as smooth brome (*Bromus inermis*), and evidence of prairie succession was noted along the fringes of the suitable habitat patches, with observed western snowberry (*Symphoricarpos occidentalis*) or silverberry (*Elaeagnus commutate*) encroachment (NDDOT 2025 BA).

Two parcels were inaccessible during the June 2024 qualitative visual habitat assessment – Sections 9 and 10 in Township 153 North (T153N), Range 81 West (R81W) – both were recommended for a future assessment as visual observations from the roadway indicated comparable compositions to the other areas that had been identified as suitable Dakota skipper habitat.

In 2025, refinements were made during the preliminary design that changed the extent of the project boundary, adding approximately 57-acres. In June of 2025, seventeen (17) additional areas – including the inaccessible parcels from the June 2024 qualitative visual habitat assessment – were surveyed using the same methodology as the 2024 assessment. This resulted in three (3) additional delineated patches of suitable Dakota skipper habitat, totaling approximately 2.04 acres. These additional patches all occurred in upland grassland areas consistent with Type B habitat; plant species composition was similar to the previously identified patches in the 2024 survey (NDDOT 2025 BA).

Collectively, thirty-nine (39) patches, amounting to 34.03* acres of suitable Dakota skipper habitat, were delineated within the defined project boundary (Table 7). All delineated patches, except for 13a and 13b, are located along the southern side of US 52. More details on delineated patch locations are in the attachments provided with the 2025 BA.

Table 7: Delineated Suitable Dakota Skipper Habitat Patches within the proposed action project boundary – *Source: NDDOT 2025 BA*

County	Segment	Patch ID	Acreage
Ward	1	1a	0.326
		1b	0.194
		2a	0.264
		2b	0.152
		2c	0.558
		3	2.246
		4a	3.240
		4b	0.662
		4c	0.526
		5a	0.487
		5b	0.611
		5c	0.249
		5d	0.602
		5e	0.155
		5f	0.186
		5g	2.079
		6a	0.342
		6b	1.826
		7a	0.396

County	Segment	Patch ID	Acreage
Ward	1	7b	0.515
	2	8a	1.146
		8b	0.482
		9	0.138
		10	0.308
		11a	0.741
		11b	0.593
		11c	1.843
		11d	0.651
		11e	0.926
		11f	0.076
		11g	0.320
		11h	0.577
		12	1.126
McHenry	5	13a	0.150
		13b	0.566
		14a	0.517
		14b	3.169
		14c	4.040
		14d	1.045
		Total:	**34.03**

Delineated habitat Patch ID (Table 7) represents the dispersal connectivity of these on-site delineated patches (i.e., number corresponds to a patch grouping, letter corresponds to an individual patch within that grouping). The patch grouping is reflective of those individual patches identified along the linear corridor that are not separated by more than 1 km from another patch and/or are not separated by a dispersal barrier (Figure 11). Though adult skippers can traverse areas of disturbance (e.g., roadway corridor) (Skadsen 2001, *pers. comm.,* in 79 FR 63672) most experts agree that Dakota skippers are more likely to avoid these areas (Dana, Royer, and Westwood 2015 *pers. comm*.). As such, Patch ID takes the roadway into account as a dispersal barrier. It should be noted that indicated connectivity of the on-site delineated habitat patches may not fully reflect the landscape extent of connectivity between these habitat patches.

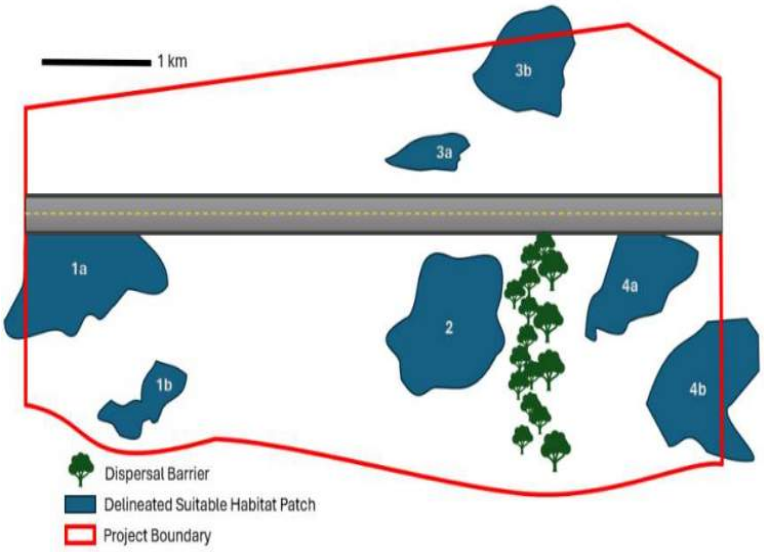


Figure 11: Visual Representation of On-Site Delineated Patch Connectivity.

4.2.3 Number and Distribution of Local Populations

There is one historic Dakota skipper site within the action area, overlapping with the DASK model south of RP 109. This historic site was surveyed twice in 1991 (Royer) during which four Dakota skippers (Male n=1; Female n=3) where observed; however, it was then indicated that the long-term prognosis for the site was poor due to it being an extremely small private parcel. No surveys for Dakota skippers have occurred at this site since 1991, and the Service has given it a status classification of "possibly extirpated."

Adjacent to the action area (within 1 km), there is one historic Dakota skipper site found overlapping with the DASK model near RP 124. This historic site was surveyed five times between 1991 and 1998, two years of which resulted in positive Dakota skipper observations (Table 8; Royer 1997; USFWS 2025, unpublished. geodatabase). No surveys for Dakota skippers have occurred at this site since 1998, and the Service has given it a status classification of "extirpated" due to the assumption that habitat is no longer present.

Table 8: Survey History of Historic Site Adjacent to the Action Area – *Source: USFWS 2025, unpublished. geodatabase*

Survey Year	Results	Surveyor Notes
1991	Not Detected	Less than an acre of habitat on both sides of the road. Railroad maintenance vehicles destroyed a large segment of the habitat in 1997. Long-term prospects of site are unfavorable.
1996	Present [n=15]	
1997	Not Detected	
	Present [n=1]	
1998	Not Detected	

All other historic Dakota skipper sites and previously surveyed locations occur greater than 5 miles from the action area boundary and have major connectivity barriers, such as the city of Minot, ND or unsuitable dispersal habitat (i.e. agricultural fields) that would hinder movement of Dakota skippers from those sites to ones located within the action area.

The current distribution of Dakota skippers coincides with the Proposed Action. Dakota skippers may be present within the Action Area. Recent survey efforts for the Proposed Action have, thus far, involved a qualitative visual habitat assessment to identify suitable habitat within the project boundary. While no recent presence/absence surveys for the Dakota skipper have been completed, Dakota skipper occupancy of suitable habitat within the action area can't be ruled out due to 1) historical knowledge of Dakota skipper presence in and adjacent to the action area and 2) extent of suitable habitat modeled and delineated along the Proposed Action corridor. Therefore, the Federal action agency has chosen to presume on-site delineated suitable habitat patches within the project boundary to be occupied by Dakota skippers.

4.3 FACTORS AFFECTING THE SPECIES WITHIN THE ACTION AREA

Stressors affecting the grasslands and associated biota of the action area include habitat loss and fragmentation, habitat degradation from grazing, invasion of non-native plant species, and fire suppression/woody plant expansion. Dakota skippers have been documented to be sensitive to these stressors (79 FR 63672).

4.3.1 Previous Consultations that overlap with the Action Area

- Intra-Service Section 7 Programmatic Consultation on Issuance of Section 10(a)(1)(A) Scientific Take Permits and related activities
    - On May 30, 2018, the Service completed a Biological Opinion on the issuance of section 10(a)(1)(A) recovery permits. Specifically, the Opinion analyzed the effects of gathering scientific information, via the capture and handling of the species, to document occupied habitat and facilitate captive rearing. Incidental take in the form of harm (non-lethal) is expected to occur from netting and associated handling. The Service expects non-lethal injuries to occur to no more than 9 Dakota skippers in any single year and no more than 2,560 Dakota skippers are likely to die during captive rearing each year (USFWS 2018a).
- FHWA/NDDOT Programmatic Consultation for Geotechnical Soil Borings along US Highway 52 – PCN 24012
    - On November 26, 2024, NDDOT completed a programmatic consultation with the Service, under the FHWA/NDDOT Programmatic Biological Assessment, for a preliminary engineering study related to the expansion of US Highway 52 (i.e., the Proposed Action herein) that involved 29 geotechnical boring locations spaced between RP 101.2 to RP 122.52. No geotechnical boring locations impacted suitable habitat for the Dakota skipper and all activities were complete by the end of January 2025. The Service concurred with a *may affect, not likely to adversely affect* determination for the Dakota skipper.

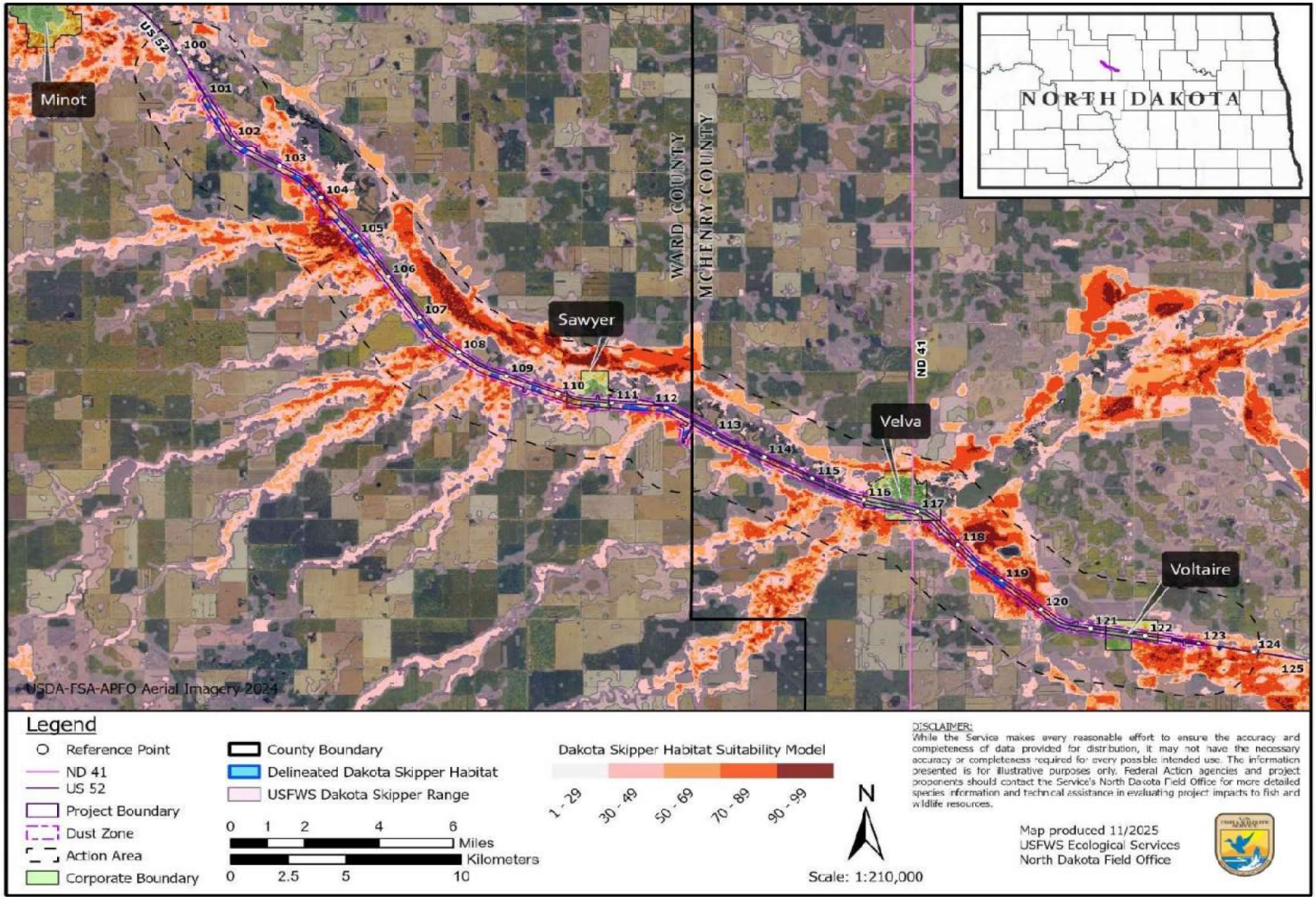


Figure 12: USFWS Range (USFWS 2023), **Dakota Skipper Habitat Suitability Model** (1 = Low Suitability; 99 = High Suitability; Barnes et al. 2024), **and Delineated Suitable Habitat Patches** (2025 BA) **at the Proposed Action Location**

5.0 EFFECTS OF THE ACTION

Pursuant to ESA section 7 regulation (50 C.F.R. § 402.14 (g)(3)) the Service has a responsibility to "evaluate the effects of the action…on the listed species or critical habitat" during formal consultation. The effects of the action "are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action but that are not part of the action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action." (50 C.F.R. § 402.02). In other words, this section is a reasonable prediction of the consequences to individuals of a species or critical habitat and the environmental changes brought about by implementation of the proposed action. This section is not an exploration of alternatives to the proposed action.

The Service previously identified and described the activities included as part of the Proposed Action herein (see DESCRIPTION OF THE PROPOSED ACTION). Our analysis of the consequences caused by these activities follows.

5.1 EVALUATION OF POTENTIAL STRESSORS

When evaluating potential stressors on listed species, the Service attempts to describe and characterize the expected number, gender, age/life stage, and populations that are anticipated to be exposed to any given stressor; further described in terms of the timing, duration, frequency, magnitude, and location.

Given the inconspicuous nature of Dakota skippers and specialized experience required to accurately identify and detect this species in the wild, it is impractical for the Service to attempt to quantify the number of individual Dakota skippers that may be injured, killed, or have a response that significantly disrupts normal behavior from the Proposed Action. As a result, this analysis uses suitable habitat as a surrogate for the species due to the tight correlation between suitable habitat and the presence of this species. However, some context of the redundancy, trend, and observed Dakota skipper encounter rates is necessary and appropriate to evaluate impacts from the Proposed Action on the survival and recovery of the species. Additionally, the within- and between-year variability of weather conditions is considered, as this influences the species' exposure risk–weather affects habitat conditions which then affects the foraging, reproduction, and dispersal ability of the Dakota Skipper.

Project stressors include activities that modify or remove native prairie, leading to Dakota skipper habitat loss, fragmentation, and/or degradation. Also discussed are stressors that could impact an individual Dakota skipper such as auditory, visual, and/or physical components caused by moving construction equipment and vehicle traffic throughout the life of the Proposed Action. Following a review of intended activities, the Service has identified six (6) general categories (Section 5.1.1 – 5.1.6) of potential stressors associated with the Proposed Action. The intended activities and stressors are further broken down via an Impact-Exposure-Response-Effect analysis (Table 9).

5.1.1 Acoustic Stressors

The Proposed Action is expected to expose Dakota skippers to both above-ambient continuous and impulsive sound pressures of variable intensity and timing. Above-ambient sound levels are expected during all phases of development from the increased use of equipment and vehicles, including a range of small to heavy construction equipment, light-duty vehicles, ATVs, and other mechanical tools (e.g., chainsaws, mowers).

Though it can be rather difficult to clearly define an insect ear, around 85% of all adult butterflies and large moth species (i.e., lepidoptera) have some type of auditory organ (Minet & Surlykke 2012). For example, adult butterfly species in the Satyrini group have a unique inflated wing vein that contributes to hearing (Sun et al. 2018). At the larval life stage, many lepidoptera species detect airborne vibrations through specialized hairs on their bodies (Minet & Sutlykke 2012). Detailed larva stage hearing studies appear to be limited to one species, the cabbage moth (Mamestra brassicae); however, the larval hearing capability of this one species may not be representative of all others (Taylor & Yack 2019)

The Service was unable to locate literature concerning Dakota skippers' ability to detect and response to acoustic stressors. However, several experts assert that sound is highly unlikely to impact the species or cause a response (Dana, Royer, and Westwood 2015 pers. comm.). While the species may be capable of sensing vibrations from other flying insects for the purposes of mate seeking (Dana 2015 pers. comm.), the Service found no evidence suggesting that noise generated from the construction activities herein would elicit a disruptive (positive or negative) behavioral response or injurious physiological impairment to adults or larvae of the species. Furthermore, the likelihood of detecting a measurable biological response from generated noise on an individual Dakota skipper is expected to be extremely low. Therefore, direct and indirect effects to Dakota skippers from exposure to above ambient noise levels generated by the Proposed Action are considered discountable.

5.1.2 Visual Stressors

The Proposed Action would involve visual stressors from the physical presence of humans, moving vehicles and equipment on the land surface, lighting, and various other development activities that may be disruptive to the Dakota skipper. This section only analyses the visual stressors of the associated activities and does not include an assessment of any potentially associated physical injury or mortality as those are discussed in the next section. Visual stressors would occur during all phases of the Proposed Action.

Visual stressors are expected to have no effect on the immobile egg stage and the larval stage of the Dakota skipper. Though Dakota skipper larvae likely have visual capability similar to other lepidoptera, they remain in ground surface shelters during the day and emerge at night to forage. Visual stressors from the Proposed Action would primarily occur during the day, therefore, visual stressor to eggs and larvae are considered discountable.

Visual stressors during the adult life stage, typically occurring June 10 – July 25 in North Dakota, may affect the Dakota skipper. The Service was unable to locate literature concerning the actual sight capabilities of an adult Dakota skipper; however, it has been noted that skipper butterflies (Lepidoptera: Hesperiidae) generally exhibit a fast startle reflex to camera flashes (Sourakov 2009).

Therefore, the Service assumes that an adult Dakota skipper likely has visual capabilities and startle responses to visual stressors similar to that noted for other skipper butterflies.

During pre-construction activities, there would be visual stressors from low intensity human presence and activity, such as surveyors and biologists completing staking and/or surveys on foot or by ATV over the course of a few days. It should be noted that the Service has already assessed surveying activities for the species via the Intra-Service Section 7 Programmatic Consultation on Issuance of Section 10(a)(1)(A) Scientific Take Permits and related activities and incorporate this analysis by reference. Visual stressors from moderate intensity human presence and activities would occur during the pre-construction phase from utility relocations. Visual stressors from high intensity human presence and activities would occur during the construction phase of the Proposed Action.

Regardless of intensity, any human presence and associated activities occurring within action area have the potential to visually disrupt adult Dakota skippers as they move about naturally within and between their habitat patches. This disruption could cause adult Dakota skipper individuals to more frequently move from resting/nectaring locations, resulting in energy expensive flight path changes or a flee responses. Visual stressors continuing over longer periods (i.e. days to weeks) may result in deleterious chronic effects like increased susceptibility to fatigue and disease from the increased energy expenditure. Continued disturbance could also potentially lead to a "stress" response such as avoidance or lower use of suitable habitat. However, measuring this type of response is likely not feasible nor is it considered biologically meaningful at the individual scale. Furthermore, the likelihood of detecting a measurable effect at the population level is expected to be extremely low. Therefore, direct and indirect effects to Dakota skippers from exposure to visual stressors during construction of the Proposed Action are considered insignificant.

Artificial lighting is expected to occur during construction and continue post-construction from general traffic usage. Light pollution associated with artificial lighting could theoretically attract adult Dakota skippers or alter their reproductive behavior during the flight period. However, Dakota skipper experts Dana and Royer agreed that artificial lighting likely does not pose a threat to the species, so the Service considers this to be discountable.

Following completion of the Proposed Action, adult Dakota skipper individuals in adjacent habitats are unlikely to be affected in their daily movements by nearby visual stressors. Post-construction visual stressors would primarily occur within or directly adjacent to the existing roadway where it would be highly unlikely for a Dakota skipper to be present. Adult skippers can traverse areas of disturbance (e.g., roadway corridor) (Skadsen 2001, *pers. comm.,* in 79 FR 63672) or could potentially be pushed by wind (or other natural processes) across areas of non-suitable habitat, but most experts agree that Dakota skippers are more likely to avoid these areas (Dana, Royer, and Westwood 2015 *pers. comm*.), as they prefer resting/nectaring in undisturbed areas. These visual stressors are also already present from general operation of the existing roadway. As the Proposed Action is not expected to increase general usage outside of what would naturally take place and we are unable to meaningfully measure the effect, the Service considers the post-construction visual stressor effects to be insignificant.

5.1.3 Physical Injury

The Proposed Action involves activities that could result in physical injury to Dakota skippers. Physical injuries are expected to coincide with all Dakota skipper life stages and include, but are not limited to, crushing or damaging any parts of the egg, larva, pupa, and/or adult that would reduce fitness and/or lead to mortality. The potential for physical injury occurs during all phases of the Proposed Action from light to heavy duty construction equipment, vehicles, ATVs, and walking within and through areas occupied by Dakota skippers.

The physical presence of humans and associated activities that do not involve machinery (e.g., walking site visits and surveys) within suitable habitat could cause physical injury to eggs, larvae, pupae, and/or adult Dakota skippers. Prior to construction, one year of pre-construction Dakota skipper occupancy surveys will be conducted within all project boundary delineated suitable habitat patches in accordance with the most current Service protocol. Additionally, at least one year of post-construction occupancy surveys will occur following vegetation re-establishment in disturbed areas and within five years following completion of the Proposed Action. The Service has already assessed occupancy surveying activities for the species via the Intra-Service Section 7 Programmatic Consultation on Issuance of Section 10(a)(1)(A) Scientific Take Permits and Related Actions (USFWS 2018a) and, therefore, this analysis is included by reference.

Mechanized activities that could result in physical injury to the Dakota skipper are 1) movement of equipment through suitable habitat any time of year and/or adjacent grassland habitat during the adult flight period and 2) removal of suitable habitat and/or adjacent grassland topsoil. Topsoil/vegetation removal or equipment traveling through suitable habitat would impact developing eggs, larvae, pupae and/or adult Dakota skippers via crushing or striking while in cover or ground shelters, nectaring, resting, loafing, mating, or depositing eggs. Vegetation removal and/or equipment traveling through adjacent grasslands during the adult fight period could crush/strike foraging or dispersing adults.

Pre-construction mechanized activities include geotechnical investigations. Every effort was made by the Federal action agency to find the best possible routes and locations for geotechnical access and boring to avoid and minimize impacts to the Dakota skipper. Three geotechnical sites have equipment traveling through or boring locations within or immediately adjacent to delineated suitable Dakota skipper habitat (Figure 13). Though a temporary disturbance, these geotechnical investigations could physically injure Dakota skippers via crushing or destroying overwintering larvae that occupy the traversed or bored locations of suitable habitat. As the number of Dakota skipper individuals cannot be quantified, acreage of suitable habitat has been used as a surrogate for the species presence. The Federal action agency, in collaboration with the Service, determined that 0.35 acres of delineated suitable habitat would be impacted by these three geotechnical investigations. This acreage determination was made from calculating the length of the drive in and back out by the width of the rig (traversing suitable habitat impact) and the length of the rig as a radius around a bore hole location (boring location impact). Thus, the Service expects all Dakota skipper larvae assumed to occupy the impacted 0.35 acres of delineated suitable habitat would be physically injured, via crushing, and permanently lost from the population. The Federal action agency has committed to mitigating the 0.35 acres impacted at an onsite/offsite Dakota skipper conservation bank that has been established in accordance with the USFWS North Dakota Field Office's *Guidance for Dakota Skipper Conservation Site Establishment* document (Section 2.3.3).

The other mechanized pre-construction activity that could result in physical injury to the Dakota skipper is utility relocation. As specific utility relocation routes are not yet known the Federal action agency assessed maximum risk to identified suitable habitat routes. Based on this analysis it is estimated up to 8,623 linear feet (LF) of underground fiber optic (7,553 LF) and electric (1,070 LF) would be routed through identified suitable Dakota skipper habitat. To account for the broadest area of potential impact from underground utility relocation, the Service assumes underground utilities will be installed via backhoe excavator (i.e., a 2-foot-wide removal of habitat for installation). It is expected that up to 0.40 acres of suitable habitat could be temporarily removed from underground utilities installation. As a result, any eggs, larvae, and/or pupae within suitable habitat or adult Dakota skippers using suitable or adjacent grassland habitat, if done during the flight season, will be permanently lost from the population.

The phases of the Proposed Action that have the highest expected magnitude and intensity of physical injury are those involving earthwork, during which construction equipment will be used for the removal of topsoil and vegetation. Site preparation for the Proposed Action would involve grading and clearing the construction area for conversion to the transportation corridor. Such activities will destroy any eggs, larvae, and/or pupae within suitable habitat or adult Dakota skippers using suitable or adjacent grassland habitat, if done during the flight season. As the number of Dakota skipper individuals cannot be quantified, acreage is used as a surrogate. The Federal action agency has determined that 4.04 acres of delineated suitable habitat fall within the grading limits. All other delineated suitable habitat will not be directly impacted and would be fenced and avoided during construction of the Proposed Action (see Section 2.3.3). Thus, the Service expects all Dakota skipper eggs, larvae, and pupae that presumably occupy the 4.04 acres of delineated suitable habitat to be destroyed during construction of the Proposed Action and permanently lost from the population. The Federal action agency has agreed to mitigation for any destroyed suitable habitat that was determined by pre-construction occupancy surveys to be occupied by Dakota skippers at an onsite/offsite Dakota skipper conservation bank that has been established in accordance with the USFWS North Dakota Field Office's *Guidance for Dakota Skipper Conservation Site Establishment* document (Section 2.3.3).

Adult Dakota skippers could be struck by vehicles or other mechanized equipment during any phase of the Proposed Action when it overlaps with the adult flight period (June 10 – July 25). This impact is most likely to occur in areas where native prairie is adjacent to existing roadways or in off-road areas where mechanized equipment is traveling or being used to complete the Proposed Action. The greatest frequency and intensity of mechanized equipment occurs during the construction phase which creates a higher potential of being struck. As discussed above, 4.04 acres of suitable habitat will be impacted by the proposed activities; all other delineated suitable habitat will be fenced and avoided per the Federal action agencies conservation measure commitments (Section 2.3.3). All other mechanized equipment activity increases would occur within adjacent grassland habitat. The likelihood of being able to accurately measure a strike effect from the increased frequency and intensity of mechanized equipment within the adjacent grassland habitat is extremely low and therefore considered by the Service to be insignificant.

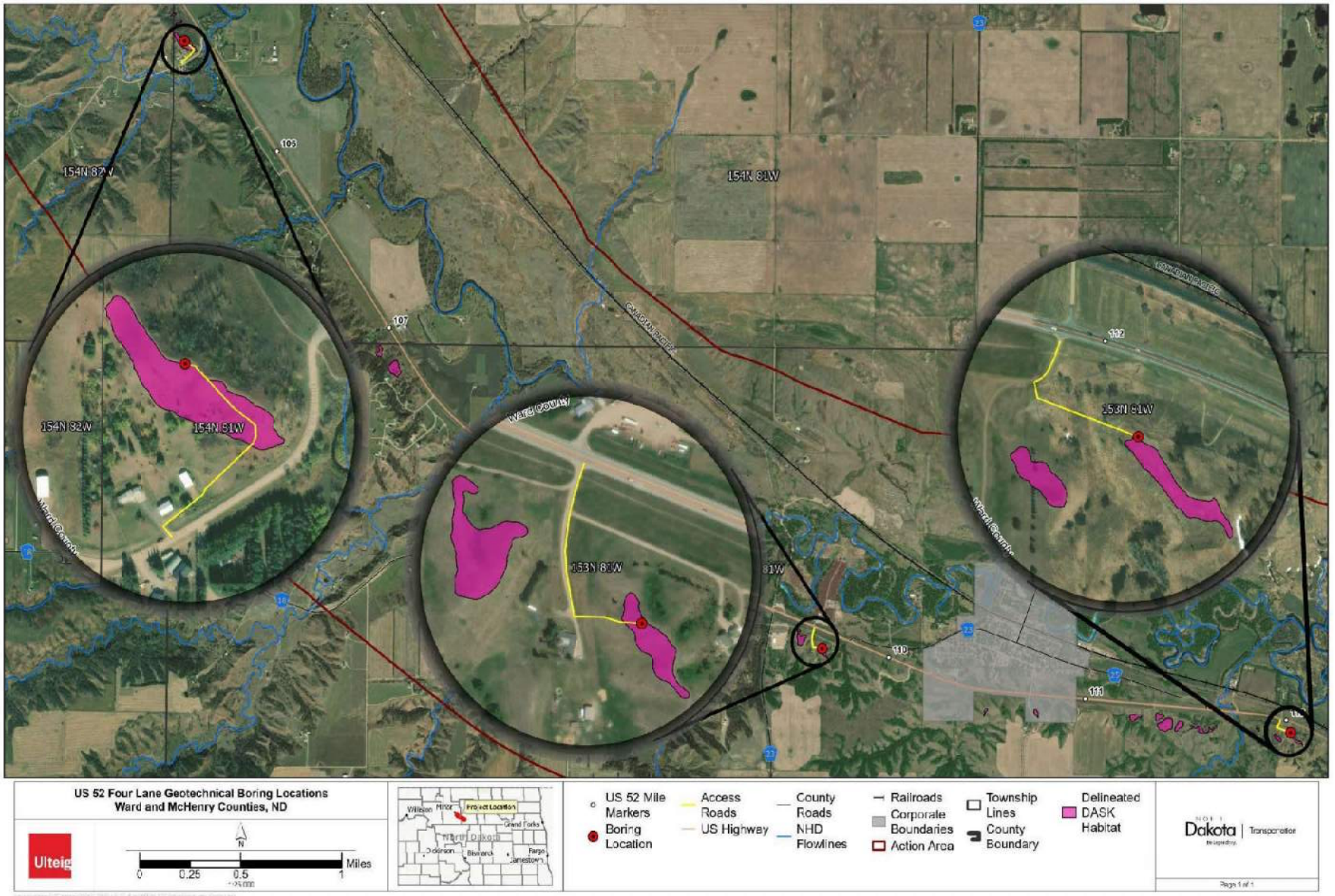


Figure 13: Geotechnical Boring Locations that Impact Delineated Suitable Dakota Skipper Habitat – Source: 2025 BA

As Dakota skippers likely avoid unsuitable areas (Dana, Royer, and Westwood 2015 *pers. comm.* from), physical injury/mortality from being struck by mechanized equipment in these areas during construction is unlikely. Post-construction, adult Dakota skippers crossing the roadway could be exposed to physical injury or mortality from being struck by vehicles, but the Service does not expect the level of impact over the long-term to effect survival of populations in the surrounding area. Furthermore, the potential for general traffic vehicle strikes during the flight season is already present and the Proposed Action is not expected to contribute to increasing traffic volumes. Thus, the Service considers physical injury impacts within unsuitable areas to be discountable.

5.1.4 Habitat Loss: Removal and Fragmentation

Direct habitat loss is the most significant threat to the Dakota skipper (79 FR 63672). This threat is highly detrimental to their survival because Dakota skippers are obligate residents of native prairie (see SPECIES HABITAT REQUIREMENTS). Indirectly, habitat loss can further impact Dakota skipper survival via fragmentation, which increases dispersal barriers on the landscape. When fragmentation occurs at a scale where it becomes a barrier to dispersal, (meta) population sustainability is lost. If population isolation occurs, those populations become highly vulnerable (due to low resilience) to stochastic events and extirpation. Thus, barriers to dispersal can set in motion a lethal sequence that begins with population fragmentation, transitions to isolation, and culmination in a net reduction in Dakota skipper abundance, population stability and reproduction, and the overall area of occupancy within the range.

The Proposed Action is expected to result in permanent and temporary habitat loss (direct consequence). Habitat loss activities include the removal of suitable and/or adjacent grassland habitat vegetation either temporarily (i.e., to be reseeded) or permanently (i.e., not reseeded or conversion to developed transportation corridor). Habitat loss from the Proposed Action is expected to decrease Dakota skipper fitness and survival as suitable habitat and ample (~50% of the total project boundary acreage, see Table 5) roadside grassland/pasture habitat (i.e., dispersal/foraging habitat; Figure 14) exists within the project boundary. Though these roadside grassland remnants may not all be suitable for reproductive use, they can support Dakota skipper populations by providing foraging resources and dispersal corridors between larger reproductively suitable prairie remnant patches found along the Proposed Action corridor. Therefore, a roadway improvement project such as the Proposed Action could decrease available dispersal/foraging habitat leading to further fragmentation of extant populations (indirect consequence; 79 FR 63672).

Temporary and permanent suitable habitat loss from Proposed Action activities will occur during the pre-construction, specifically geotechnical investigation and utility relocation, and construction phases. Suitable habitat loss during pre-construction includes the permanent removal of less than 0.0001 acres from the geotechnical investigation and temporary removal of up to 0.40 acres from underground utility relocations. Suitable habitat removed from geotechnical investigation will be replaced with bentonite backfill making this a permanent impact. Approximately 8,623 linear feet (LF) of fiber optic (7,553 LF) and electric (1,070 LF) may be relocated within suitable habitat. To account for the broadest area of potential impact from underground utility relocation, the Service assumes underground utilities will be installed via backhoe excavator (i.e., a 2-foot-wide removal of habitat for installation).

During the construction phase, 4.04 acres of suitable habitat will be removed. Post-construction, the 4.04 acres will be reseeded by the Federal action agency with a seed mix high in native grasses and forbs. In the event not all reseeded areas establish within 5 year post-construction, the Federal action agency has proposed that 50 percent be considered a permanent impact and 50 percent be considered a temporary impact. As such, the construction phase of the Proposed Action is expected to permanently impact up to 2.02 acres and temporarily impact up to 2.02 acres of suitable Dakota skipper habitat.

Temporary and permanent dispersal habitat loss from Proposed Action activities will occur during the pre-construction, specifically utility relocation, and construction phases. During the pre-construction phase, approximately 407,890 LF of underground utilities and 70,574 LF of overhead utilities need to be relocated. The readjustment of overhead utilities would result in the relocation of up to 202 utility poles. Again, to account for the broadest area of potential impact, the Service assumes underground utilities will be installed via backhoe excavator (i.e., a 2-foot-wide removal of habitat for installation) and overhead utilities structures remove a 1-foot-diameter area of vegetation for pole installation. Again, though some areas may overlap with NCLD land use types that are unsuitable for Dakota skippers, it is conservatively presumed that these installations overlap with grassland/pastureland habitat types (USGS 2024; Figure 14). It is expected that 18.73 acres of dispersal habitat will be temporarily removed from underground utility relocation and 0.004 acres of dispersal habitat will be permanently removed from overhead utility pole relocation.

Dispersal habitat loss from the construction phase of the Proposed Action includes up to 110.81 acres of permanent removal (i.e., converted to paved roadway) and up to 395.02 acres temporary removal. The Federal action agency has committed to reseed any temporarily removed areas that fall within 250m of on-site delineated suitable habitat with a seed mix composed of native species and includes grasses and forbs necessary for Dakota skipper lifecycle needs, which in the long-term could result in increased habitat quality compared to baseline conditions.

Removal of adjacent grassland habitat (i.e., adult dispersal/foraging habitat) could indirectly effect Dakota skippers by decreasing available foraging resources and creating new dispersal barriers or further fragmentation of suitable habitat. For those areas where vegetation/topsoil removal is only temporary (i.e., habitat would be restored via reseeding following completion of Proposed Action activities) impacts from habitat loss would be felt until habitat is reestablished. For those areas where vegetation/topsoil removal is permanent, the Service expects that Dakota skipper populations utilizing habitats within the project boundary would become isolated if the permanent habitat loss spatially separate occupied sites (i.e., create a dispersal barrier) greater than 1 km–the furthest dispersal distance Dakota skippers are presumed to be capable of (see SPECIES RANGEWIDE DISTRIBUTION section).

5.1.5 Habitat Degradation

For a prairie obligate species like the Dakota skipper, development has been documented to reduce the capability of adjacent habitat that supports the critical life history processes (breeding, feeding, and sheltering) of the species. Direct habitat degradation is expected via vegetation trampling from both equipment and foot traffic; while indirect consequences are expected from undesirable plant species encroachment and microclimate modifications (i.e., hydrological adjustments or increased dust) associated with the Proposed Action.

Vegetation trampling is a direct consequence that is expected to occur predominantly during the pre-construction (e.g., surveys/data gathering, utility relocation, geotechnical investigation) and construction phases. A significant amount of foot traffic and off-road motorized vehicle use is required to address the planning and siting needs of the Proposed Action. While not continuous, pulses of activities are expected to modify the plant communities in those locations where activities have been concentrated enough to stunt growth, uproot plants, and create localized soil disturbance.

Vegetation trampling will occur in identified suitable habitat at three geotechnical investigation sites (Figure 13). Every effort was made by the Federal action agency to find the best possible routes and locations for geotechnical access and boring to avoid and minimize impacts to the Dakota skipper. A total of 0.35 acres of delineated suitable habitat would be impacted by these three geotechnical investigations (see Section 5.1.3 for more details). The Federal action agency has committed to fencing and avoiding all other identified suitable habitat areas within the project boundary that are not going to be directly impacted (see Section 2.3.3).

All other vegetation trampling impacts are expected to only occur in dispersal/foraging habitat. These impacts will likely reduce the number of available resources on the landscape for the species overall. During the pre-construction phase, 202 overhead utility poles will be relocated, and each pole is expected to have a 3-foot-diameter area of vegetation trampling impact. It is expected that up to 0.03 acres of Dakota skipper dispersal habitat will be impacted from the relocation of 202 overhead utility poles. Vegetation trampling impacts that could degrade dispersal habitat are also expected during other pre-construction activities and throughout the construction phase of the Proposed Action. However, the greatest extent of these impacts has likely already been captured by the HABITAT LOSS: REMOVAL AND FRAGMENTATION section calculations.

Anticipated increase in noxious and otherwise invasive plant species (i.e., undesirable plant species) would subject habitat to an additional stressor that would reduce its capability of supporting Dakota skippers. Undesirable species could out compete native forbs that are food sources for the Dakota skipper (Royer and Marrone 1992). Studies have found that presence and abundance of undesirable species does increase near development compared to undisturbed control sites, and development that leads to increased vehicle traffic offers more opportunities for the transport and dispersal of undesirable species (Bergquist et al. 2007; Preston 2015). Following construction, decreases in the native plant species are expected, leading to the reduction of available suitable habitat, loss of forage sources, increased growth of cool season grasses, and decreased forb density (Cochrane and Delphey 2002).

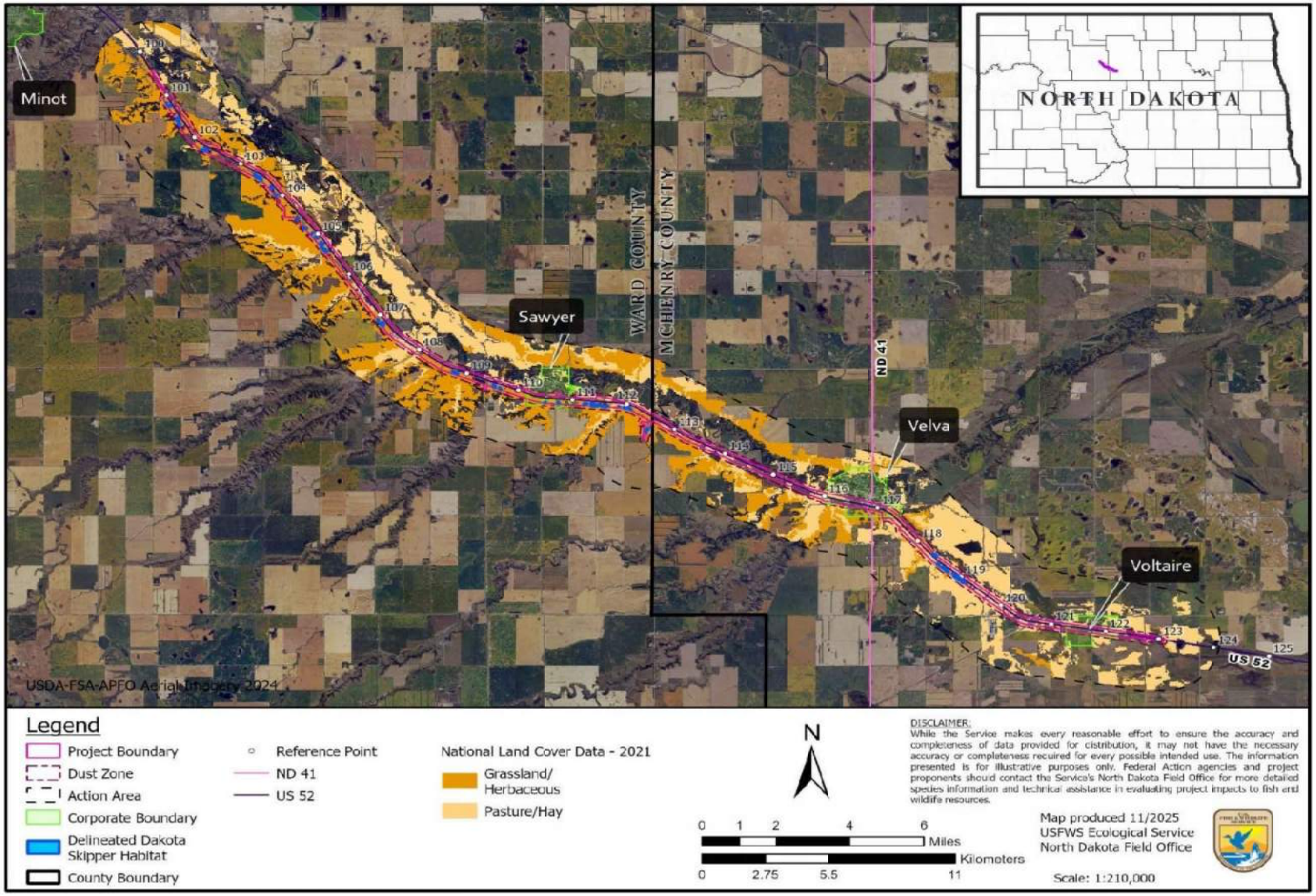


Figure 14: Grassland/Herbaceous Land Use Classification at the Proposed Action – *Source: USGS 2024: National Land Cover Data - 2021*

The Service recognizes that undesirable species (e.g., Kentucky bluegrass and smooth brome) have already been identified in delineated suitable habitat patches and surrounding habitats within the project boundary (NDDOT 2025 BA). It is likely that construction activities associated with the Proposed Action could provide a vector for undesirable species to spread further or newly introduced into native grassland habitat and for transport opportunities to continue following completion of the Proposed Action. Unmitigated, this could likely result in rapid changes (within five years) to the vegetative structure, species composition, and overall ground cover and, within 10 years post construction, radiate outwards up to 120 m from the road (Preston 2015). This would incrementally decrease the overall carrying capacity of suitable habitat adjacent to the Proposed Action, thus lowering the reproductive capability or individual fitness of Dakota skippers inhabiting these areas. These habitat changes are expected to be permanent in the absence of weed control and habitat enhancement measures.

The Federal action agency has committed to noxious weed control and to reseed any disturbed areas that fall within 250m of on-site delineated suitable habitat as a component of the Proposed Action and thus is expected to ameliorate the threat of undesirable species. It should also be noted that NDDOT is regulated by North Dakota Century Code (N.D.C.C.) which states "each person shall do all things necessary and proper to control the spread of noxious weeds" (N.D.C.C. § 4.1-47-02). By adhering to N.D.C.C. and following a designed noxious weed control plan, unwanted plant species would be controlled by methods that will not impair stages of the Dakota skipper life cycle. Therefore, the Service concludes that effects from undesirable plant species encroachment is discountable.

Microclimate modification discussed here includes effects from fugitive dust and hydrological changes. Fugitive dust is expected to occur during construction and post-construction from general traffic use post construction, though the accumulation amount will vary between the phases. Localized hydrological changes from construction of the Proposed Action, such as new drainage structure alignments, are expected post-construction.

Fugitive dust that settles upon vegetation has been shown to reduce photosynthesis, interfere with stomata function (the exchange rate or efficacy of carbon dioxide and oxygen), increase incidences of plant pests and disease, increase PH (>10.0), increase leaf surface temperature, introduce contaminates (further discussed in the next section), and reduce leaf surface thus lowering primary production (Thompson et al 1984; Farmer 1993; Sharifi et al. 1997; Lewis 2013; Gedafa 2013). This is likely to result in altering the edaphic conditions and microclimate (temperature and humidity).

The Service has determined the dust zone for the Proposed Action to be a 300ft buffer off the project boundary (see Section 2.4.1). It is assumed that fugitive dust deposits at a rate that has an inverse relationship to the distance from the dust source (i.e., larger quantities of dust accumulate nearer to the source). Thus, habitat closer to dust sources are likely experiencing greater accumulations of fugitive dust than those further away. Based upon prevailing wind directions in North Dakota, we expect fugitive dust would be predominantly distributed in a southward, southeasterly, and eastward direction (Enz 2003), however dust can migrate in any direction within the action area as the wind direction can vary.

The reproductive phases of the Dakota skipper have narrow tolerances for temperature and humidity at or near the soil surface (between soil surface and 2 cm depth: mean soil surface summer temperatures from 17.8 to 20.5 °C (64.0 to 68.9 °F), mean near soil surface dew point ranging from 13.9 to 16.8 °C (57.0 to 62.2 °F), and mean near soil surface relative humidity between 72.5 and 85.1 percent) (Royer et al. 2008). Of particular concern are the potentially lethal consequences to eggs, pupae, larvae, and plants from the increased PH associated with fugitive dust settling in areas important for Dakota skipper life cycle support.

It is reasonable to infer changes to the vegetative structure, species composition, and ground cover are likely to affect the necessary, narrow range microclimatic conditions near the soil surface (McCabe 1981) where Dakota skippers reside during almost their entire life span. However, we found no way to assess the magnitude of change in either the microclimate or overall vegetative composition that would likely occur in the 120 m buffer (Preston 2015) encompassing construction, making it even more difficult to predict how the species may respond to such vegetative changes later in time. Furthermore, the Proposed Action does occur along an existing roadway, so the overall degradation experienced by habitat from fugitive dust may increase temporarily while construction activities are underway but in the long-term these adjacent habitats are not expected to be incrementally reduced in quality further than what is already being experienced. The Federal action agency has committed to implement dust control measures as required under their general construction permit (Section 2.3.1). Therefore, the Service concludes fugitive dust effects from the Proposed Action to be discountable, with the implementation of dust control measures during the construction phase; and insignificant post-construction when the roadway is operating.

Final design of the Proposed Action, such as drainage structure alignments, could alter the current localized hydrologic conditions within the project boundary. Dakota skippers are especially vulnerable to 1) desiccation at the larval stage – if vertical water distribution is not present, and 2) mortality – if inundation is severe enough to alter vegetation (Section 3.4). However, any potential localized hydrologic changes from the Proposed Action are expected to only occur immediately adjacent to the roadway and would not change the overall hydrologic flows within the action area. Therefore, potential localize hydrologic changes from the Proposed Action are considered by the Service to be discountable as they are not expected to result in degradation of suitable habitat.

5.1.6 Contaminants

There are several chemical contaminants involved at different phases that could be introduced from construction activities such as equipment refueling, fugitive dust from construction activities, and the control of undesirable plant species. Contaminants pose the greatest threat of exposure to the Dakota skipper during the construction phase. The potential for a fluid release associated with excavators or other construction equipment is greatest during the construction phase as equipment is most mobile within the project boundary. Equipment refueling would be required on site on a daily basis during several stages of development. Refueling of vehicles would take place at designated fuel sites with spill prevention planning in place, reducing the potential for impacts to the species from spills.

Fugitive dust can contain heavy metals or other toxins. The Proposed Action does occur along an existing roadway, so while fugitive dust may increase temporarily while construction activities are underway, adjacent habitats are not expected to be incrementally reduced in quality further than what

is already being experienced from fugitive dust exposure. The Federal action agency has committed to implementing standard dust control measure (Section 2.3.1).

Exposure to toxic chemicals that would be expected to lead to injury or death is possible. Undesirable plant species control activities would be done regularly as a part of general ROW maintenance. Areas identified with undesirable plant species would be spot treated with backpack or ATV mounted sprayers. Because Dakota skippers are not generally associated with vegetation infused with a dominance of undesirable species, direct exposure to herbicides is not expected.

Both habitat destruction and degradation would be a possible impact from contamination events, through the reduction of available habitat on the landscape, fragmentation of existing contiguous habitat, and the destruction of small remnant fragments altogether. While possible, a large spill event of sufficient magnitude that results in direct exposure are historically rare (based upon reporting frequency). With a spill prevention plan in place, dust control measures, and lack of association between Dakota skippers and undesirable plants to be sprayed, the effects to the Dakota skipper from contaminants is expected to be insignificant or discountable.

Table 9: Proposed Action Impact-Exposure-Response-Effect Analysis for the Dakota Skipper.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
				IMPACT "STRESSOR"	EXPOSURE TO IMPACT			RESPONSE	EFFECT	
					Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
PRE-CONSTRUCTION	Geotechnical Investigation	Transportation of a drill rig to bore holes between 30 to 150 feet deep to assess soil stability.	Heavy to light-weight trucks and trailers, drilling rig, bentonite backfill, hand tools.	Acoustic	X		Noise produced from activities in and adjacent to identified suitable habitat.	None.	None.	The Service found no evidence suggesting generated noise from construction activities would elicit a disruptive (positive or negative) behavioral response or injurious physiological impairment to any life stage of the species.
				Visual		X	Activity would occur when larvae are overwintering in ground level/subsurface shelters.	None. Species in diapause.	None.	None.
				Physical Injury	X		Equipment is driven through identified suitable habitat. Bore hole locations within or directly adjacent to identified suitable habitat.	None. Species in diapause.	Physical injury to overwintering larvae from crushing that leads to mortality.	Permanent loss of those individuals from the population. Up to 0.35 acres of direct temporary impact to suitable habitat.
				Habitat Loss	X		Destruction of suitable habitat at bore hole location. Bentonite as backfill.	None. Species in diapause.	Reduced feeding, breeding and sheltering resources for all life stages via habitat destruction at bore hole.	Insignificant, permanent removal of less than 0.0001 acres of suitable habitat. Biological effects can't be meaningfully measured.
				Habitat Degradation	X		Vegetation trampling via equipment driving through suitable habitat.	None. Species in diapause.	Altered feeding, breeding and sheltering resources for all life stages via vegetation trampling.	Up to 0.35 acres of direct temporary disturbance to suitable habitat.
				Contaminates	X		From equipment fuel and use of bentonite as backfill.	None.	None.	Discountable, conservation measure commitments make effects extremely unlikely to occur.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
				IMPACT "STRESSOR"	EXPOSURE TO IMPACT			RESPONSE	EFFECT	
					Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
	Field Surveys	Dakota Skipper Habitat and Occupancy Surveys	Nets Cameras Walking	Requires a federally permitted surveyor. The Service has already assessed surveying activities for the species via the Intra-Service Section 7 Programmatic Consultation on Issuance of Section 10(a)(1)(A) Scientific Take Permits and related activities.						
PRE-CONSTRUCTION	Other Surveys & Project/Site Preparation Other Surveys & Project/Site Preparation	Site visits for various ground, aerial, biological, noise, cultural resource, wetland delineation, utility locates. Installation of traffic control signage, erosion control devices, temporary lighting, avoidance areas. Staging areas, including fueling sites.	Walking ATVs Heavy to light-weight trucks and trailers. Hand tools	Acoustic	See "Geotechnical Investigation" Activity					
				Visual	X		From low intensity human presence/activity, machinery, and artificial lighting during the adult flight period.	Flight path change response. Flee response. Attraction to light source.	Increased energy expenditure or a stress response.	Insignificant, magnitude/ intensity, duration and frequency of disruption is unlikely to be biologically meaningful. Discountable, artificial lighting effects are unlikely.
				Physical Injury	X		From low intensity human presence, activity, and machinery use. Activities would not occur within identified suitable habitat.	None, any physical injury leads to mortality.	Mortality from crushing and/or damaging any parts of egg, larva, pupa, and/or striking adults. [Dependent on timing]	Insignificant, conservation measure commitment that identified suitable habitat will be fenced and avoided. Extremely low likelihood of being able to accurately measure the biological response.
				Habitat Loss		X	Vegetation removal is not expected as part of this activity.	Relocate.	None.	None.
				Habitat Degradation	X		Temporary pulses of vegetation trampling from low intensity foot traffic and off-road motorized vehicles. Activities would not occur within identified suitable habitat.	Relocate.	Altered feeding, breeding, sheltering resources from localized disturbance. Reduced fitness and survivorship.	Insignificant, unable to meaningful measure effect.
				Contaminates	X		From equipment fuel and fugitive dust.	None.	None.	Discountable, conservation measure commitments make effects extremely unlikely to occur.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
				IMPACT "STRESSOR"	EXPOSURE TO IMPACT			RESPONSE	EFFECT	
					Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
PRE-CONSTRUCTION	Utility Relocation	Relocation of overhead and underground utilities. Types include electrical, water, and fiber.	Cranes, augers, digger trucks, bucket trucks, skid steers, backhoe excavators, boring machines, bull wheel tensioners among other heavy to light weight trucks and trailers	Acoustic	See "Geotechnical Investigation" Activity					
				Visual	X		From moderate intensity human presence/activity, machinery use, and artificial lighting during the adult flight period.	Flight path change response. Flee response. Attraction to light source.	Increased energy expenditure or a stress response.	Insignificant, unable to meaningful measure effect. Discountable, artificial lighting effects are unlikely.
				Physical Injury	X		From moderate intensity human presence/activity and machinery use.	None, any physical injury leads to mortality.	Mortality from crushing and/or damaging any parts of egg, larva, pupa, and/or striking adults. [Dependent on timing]	Permanent loss of those individuals from the population. Up to 0.40 acres of direct temporary removal of suitable habitat for underground installation. Effects in adjacent grassland habitat are insignificant, unable to accurately measure.
				Habitat Loss	X		From removal and installation of utilities located within the project boundary.	Relocate.	Reduced foraging and dispersal resources.	Up to 0.40 acres of suitable habitat temporarily removed for underground installation. Up to 0.004 acres of dispersal habitat permanently removed and up to 18.76 acres of dispersal habitat temporarily removed.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
				IMPACT "STRESSOR"	EXPOSURE TO IMPACT			RESPONSE	EFFECT	
					Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
PRE-CONSTRUCTION	Utility Relocation	Relocation of overhead and underground utilities. Types include electrical, water, and fiber.	Cranes, augers, digger trucks, bucket trucks, skid steers, backhoe excavators, boring machines, bull wheel tensioners among other heavy to light weight trucks and trailers	Habitat Degradation	X		Vegetation trampling from foot traffic, off-road motorized vehicles, and heavy equipment.	Relocate.	Altered feeding, breeding, sheltering resources from localized disturbance.	Overall reduction of available resources on the landscape. Insignificant, unable to meaningfully measure effect. Fugitive dust effects insignificant, unable to accurately measure effect.
				Contaminates	X		From equipment fuel, spills, and fugitive dust.	Flee response. Relocate.	Mortality. Altered feeding, breeding, sheltering resources.	Discountable, spills are unlikely to occur, and companies likely have some type of spill prevention plan in place. Insignificant, fugitive dust accumulation size is minimal and would be unable to meaningfully measure the biological response to the effect.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
					EXPOSURE TO IMPACT			RESPONSE	EFFECT	
				IMPACT "STRESSOR"	Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
CONSTRUCTION	Roadway Construction	Clearing, grubbing, and topsoil stockpiling for reclamation. New, improved, and/or replaced drainage structures. Permanent signage, pavement markings, and traffic control devices, including lighting, installed.	Bulldozers, scrapers, graders, backhoes, trucks, asphalt pavers and conveyors, cranes, milling machines, excavators, rollers, among other heavy to light weight trucks and trailers.	Acoustic	See "Geotechnical Investigation" Activity					
				Visual	X		From high intensity human presence/activity, machinery use, and artificial lighting during the adult flight period.	Flight path change response. Flee response. Attraction to light source.	Increased energy expenditure or a stress response.	Insignificant, unable to meaningful measure effect. Discountable, artificial lighting effects are unlikely.
				Physical Injury	X		From high intensity human presence/activity and machinery use.	None, any physical injury leads to mortality.	Mortality from crushing and/or damaging any parts of egg, larva, pupa, and/or striking adults. [Dependent on timing]	Permanent loss of individuals from the population. Up to 4.04 acres of suitable habitat removed either temporarily or permanently. Effects in adjacent grassland habitat are insignificant, unable to accurately measure.
				Habitat Loss	X		From clearing vegetation and topsoil within identified suitable habitat and adjacent grassland habitats both permanently and temporarily.	Relocate.	Removal of feeding, breeding, sheltering resources permanently and temporarily. Reduced fitness and survivorship.	Up to 2.02 acres of suitable habitat permanently removed and up to 2.02 acres of suitable habitat temporarily removed. Up to 110.81 acres of dispersal habitat permanently removed and up to 395.02 acres of dispersal habitat temporarily removed.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
				IMPACT "STRESSOR"	EXPOSURE TO IMPACT			RESPONSE	EFFECT	
					Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
CONSTRUCTION	Roadway Construction	Clearing, grubbing, and topsoil stockpiling for reclamation. New, improved, and/or replaced drainage structures. Permanent signage, pavement markings, and traffic control devices, including lighting, installed.	Bulldozers, scrapers, graders, backhoes, trucks, asphalt pavers and conveyors, cranes, milling machines, excavators, rollers, among other heavy to light weight trucks and trailers.	Habitat Degradation	X		From high intensity human presence/activity and machinery use. Vegetation trampling from foot traffic, off-road motorized vehicles, and heavy equipment. Localized microclimate modification from hydrologic changes and fugitive dust from construction activities.	Relocate.	Altered feeding, breeding, sheltering resources from localized disturbance and microclimate modification.	Overall reduction of available resources on the landscape. Conservation measure commitment to reseed disturbed habitat within 250 m of identified suitable habitat. Insignificant, unable to accurately measure effect. Discountable, localized hydrological changes from construction activities are not expected to result in degradation of suitable habitat. Fugitive dust effects discountable, conservation measure commitment.
				Contaminates	See "Other Surveys & Project Preparation" Activity					
POST-CONSTRUCTION	Operation of Roadway	Reclamation of disturbed non-roadway areas. Roadway maintenance. General traffic and roadway usage.	Walking ATVs Heavy to light-weight trucks and trailers. Hand tools	Acoustic	See "Geotechnical Investigation" Activity					
				Visual	X		From general traffic usage of the roadway and artificial lighting during the adult flight period.	Avoidance of the roadway. Attraction to artificial light sources.	None because stressor was already present.	Insignificant, magnitude/ intensity, duration and frequency of disruption remains similar to what was already present. Unable to meaningful measure effect. Discountable, artificial lighting effects are unlikely.

	ACTIVITY	TASK(S)	TOOLS EQUIPMENT METHOD	BIOLOGICAL IMPACT				CONSEQUENCE		
				IMPACT "STRESSOR"	EXPOSURE TO IMPACT			RESPONSE	EFFECT	
					Y	N	EXPLAINATION	LIKELY RESPONSE	LIKELY EFFECT	DEGREE OF EFFECT
POST-CONSTRUCTION	Operation of Roadway	Reclamation of disturbed non-roadway areas. Roadway maintenance. General traffic and roadway usage.	Walking ATVs Heavy to light-weight trucks and trailers. Hand tools	Physical Injury	X		Adult Dakota skippers being struck by vehicle traffic.	None, any physical injury leads to mortality.	Mortality from vehicle strikes.	Discountable, movement across roadway is extremely unlikely.
				Habitat Loss		X	Vegetation removal is not expected as part of this activity.	None.	None.	None.
				Habitat Degradation	X		Opportunities for introduction of undesirable plant species.	Relocate.	Altered feeding, breeding, sheltering resources.	Discountable, conservation measure commitments make effects extremely unlikely to occur.
				Contaminates	X		Vehicle accidents or spills. Undesirable plant species control.	Flee response. Relocate.	Mortality. Altered feeding, breeding, sheltering resources.	Discountable, accidents are unlikely to occur. Insignificant, size of impact is small, and we are unable to meaningfully measure the biological response to the effect. Undesirable species control is discountable, conservation measure commitments make effects extremely unlikely to occur.

5.2 SUMMARY OF ADVERSE EFFECTS TO THE DAKOTA SKIPPER

Dakota skippers are expected to experience direct and indirect effects from implementation of the Proposed Action as currently proposed due to the species' dependency on high quality native mixed grassland communities. Most direct adverse effects are expected to occur during the pre-construction and construction phases of the Proposed Action (Table 9). Up to 2.02 acres of direct permanent impact and up to 2.77 acres of direct temporary impact to identified suitable habitat that could support all Dakota skipper life stages; and up to 110.814 acres of direct permanent impact and 413.78 acres of direct temporary impact to dispersal/foraging habitat that could support the adult life stage are expected from the Proposed Action. This will reduce the amount of feeding, breeding, and sheltering resources available to the species, leading to reduced fitness or mortality of individuals occupying these areas. These direct impacts also increase the risk of physical injury from activities within suitable habitat and, during the adult flight period, activities occurring in adjacent grassland habitat could crush or strike adult Dakota skippers.

Other less detrimental effects to the species could result from anthropogenic presence, habitat fragmentation, exposure to contaminants, and habitat degradation. Anthropogenic presence has the potential to alter Dakota skipper behavior. Habitat fragmentation has the potential to cause isolation of Dakota skipper populations. Habitat degradation will mainly occur in the form of decrease in plant species diversity and increase of invasive species ultimately decreasing the habitats potential to support the full Dakota skipper life cycle.

Each stressor has the potential to reduce the carrying capacity of the species and its habitat in the action area. The Service anticipate the essential behaviors of breeding, feeding, and sheltering of the species will be significantly impaired due from the Proposed Action activities and it is reasonable to anticipate the abundance of the species will be reduced in the action area (due to direct mortality of adults, larvae, pupae, and/or eggs).

5.3 CUMULATIVE EFFECTS

Cumulative effects consider the effects of future state, tribal, local, or private actions that are reasonably certain to occur within the action area of the proposed action subject to consultation (50 C.F.R. § 402.02). "Reasonably certain to occur" is a rigorous standard that is not based on speculation or mere possibility that effects to the species may occur (73 FR 76272). If no information exits, is speculative or not credible, then effects are not reasonably certain to occur and are disregarded (73 FR 76272). Furthermore, the definition of "cumulative effects" applies only to Section 7 analyses and should not be confused with the broader use of the term in the National Environmental Policy Act or other environmental laws. Future Federal actions that are unrelated to the Proposed Action are not considered in this section because they require separate consultation pursuant to Section 7 of the ESA (USFWS & NMFS 1998). The Service is aware of an additional action that met the ESA definition of cumulative effects within the action area.

The Mouse River Enhanced Flood Protection Project, initiated by the Souris River Joint Board. The grade raise (approximately 6 feet at the highest point) of US 52 west of Velva, North Dakota is included as part of the Proposed Action design to aid the flood project and protect critical infrastructure from future flooding.

6.0 CONCLUSION

The Service defines "jeopardize the continued existence of" as "to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species" (50 C.F.R. § 402.02).

Recovery calls for improvement in the status of listed species to the point at which listing is no longer appropriate under the criteria identified in section 4(a)(1) of the ESA (50 C.F.R. § 402.02).

After reviewing the current status of the species, the environmental baseline for the action area, and the effects of the Proposed Action it is the Service's biological opinion that the widening of US 52 from a two-lane to a four-lane highway, as proposed, is not likely to jeopardize the continued existence of the Dakota skipper.

From a suitable habitat perspective, the DASK Model shows there to be approximately 10,084 acres of suitable habitat with a ≥ 50% probably in the action area (Barnes et al. 2024; Table 6). The Proposed Action would directly impact up to 2.02 acres permanently and 2.77 acres temporarily of suitable habitat that could support all Dakota skipper life stages; and up to 110.814 acres permanently and 413.78 acres temporarily of dispersal habitat that could otherwise be used by the Dakota skipper. This reduction in overall habitat would not result in a significant measurable effect that would jeopardize the continued existence of the species given the magnitude of potentially suitable habitat within the action area.

As previously noted, the delineated suitable habitat patches for the Dakota skipper are found along an existing roadway and as such are already experiencing some of the related stressors identified in this analysis. Additionally, the federal action agency has agreed to 1) mitigate the 0.35 acres of suitable habitat impacted by the geotechnical investigation, 2) complete occupancy surveys and mitigate impacted suitable habitat that had Dakota skipper occupancy pre-construction, and 3) reseed any disturbed area within 250 m of suitable habitat with a mix that would promote the Dakota skipper life cycle.

Critical habitat is designated for this species; however, this action does not affect any critical habitat. No destruction or adverse modification of critical habitat is anticipated.

The Service reached this/these conclusion(s) because:

A. Adverse impacts (including those that conform to incidental take) are likely to be small in magnitude, temporary (meaning not continuous, recurring, or chronic), short-term and geographically local with respect to each local population being addressed.
B. The amount or extent of incidental take of listed species is likely to be low and is not likely to have adverse population-level impacts to the affected listed species.

7.0 INCIDENTAL TAKE STATEMENT

Section 9 of the ESA and Federal Regulations pursuant to section 4(d) of the ESA prohibit *take* of endangered and threatened species, respectively, without special exemption. *Take* is defined as to harass, *harm*, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. *Harm* is further defined by the Service as an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering (50 C.F.R. § 17.3). *Incidental take* is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of Section 7(b)(4) and Section 7(o)(2), take that is incidental to and not intended as part of the agency action is not considered to be prohibited take under the ESA provided that such take is in compliance with the terms and conditions of this Incidental Take Statement (ITS).

The measures described below are non-discretionary and must be undertaken by the Federal action agency [FHWA] so that they become binding conditions of any grant or permit issued to a state agency, local entity, or others, as appropriate, for the exemption in Section 7(o)(2) to apply. The Federal action agency has a continuing duty to regulate the activity covered by this incidental take statement. If the Federal action agency 1) fails to assume and implement the terms and conditions or 2) fails to require a state agency, local entity, and/or others to adhere to the terms and conditions of the ITS through enforceable terms that are added to the permit or grant document, the protective coverage of Section 7(o)(2) may lapse. To monitor the impact of incidental take, the Federal action agency and any state agency, local entity, or others involve with the Proposed Action must report the progress of the action and its impact on the species to the Service as specified in the ITS (50 C.F.R. § 402.14(i)(3)).

7.1 AMOUNT OR EXTENT OF TAKE

The Service anticipates the incidental take of Dakota skippers will be difficult to detect or quantify for the following reasons:

- The presence of individual Dakota skippers is extremely difficult to confirm due to the species' obscure life cycle, thus incidental take of individuals is too difficult to monitor effectively, and
- The incidental take of eggs, larvae, pupae, or adults (flight stage) will be difficult to track and quantify given the diminutive size and obscurity of individuals, thus the total amount of injury or mortality will be highly uncertain.

However, take of this species from the Proposed Action can be approximated by quantifying the spatial extent (acres) of the habitat traversed, destroyed, and/or modified. Using the extent and location of Dakota skipper suitable habitat as a surrogate indicator of the amount or extent of take that will occur in the form of harm, the Service expects the incidental take of up to 2.02 acres permanently and 2.77 acres temporarily of Dakota skipper suitable habitat and up to 110.814 acres permanently and 413.78 acres temporarily of dispersal habitat. Direct take is anticipated to occur during the pre-construction and construction phases of the Proposed Action.

The Service also expects indirect effects to occur to Dakota skippers from habitat alteration. Dakota skippers are expected to be harmed at these locations due to anthropogenic presence, habitat degradation, habitat fragmentation, physical impact or increase predation. These stressors will diminish the likelihood of individual survival for Dakota skippers at all life stages around the proposed action.

Expected Incidental Take				
Impact Factor	Suitable Habitat		Dispersal Habitat	
	Permanent Impact (acres)	Temporary Impact (acres)	Permanent Impact (acres)	Temporary Impact (acres)
Grading Limits	2.02	2.02	0*	0*
Construction activities within existing and proposed ROW/easement	0	0	0	395.02
Paved roadway footprint	0	0	110.81	0
Overhead utility poles	0	0	0.004	0.03
Underground utility installation	0	0.40	0	18.73
Geotechnical investigation	< 0.0001	0.35	0	0
Total:	**2.02**	**2.02**	**110.814**	**413.78**

**All impacts to dispersal habitat from grading limits overlap with impacts from construction activities within existing and proposed ROW/easement or paved roadway footprint.*

7.2 EFFECT OF THE TAKE

In the accompanying BO, the Service has determined that this level of anticipated take is not likely to appreciably reduce the survival of the Dakota Skipper. Therefore, the Service concludes the action is not likely to result in jeopardy to the species.

7.3 REASONABLE AND PRUDENT MEASURES

The reasonable and prudent measures (RPM), and implementing terms and conditions, minimize the effects of incidental take that might otherwise result from the action. RPMs have been developed based on information presented in the Biological Assessment for the Proposed Action, and life history for the species. RPMs are non-discretionary and must be implemented so that they become binding conditions of the permit for the exemption in Section 7(o)(2) of the ESA to apply. Pursuant to 50 C.F.R. § 402.14(I)(l)(iii) and 402.14(I)(3), the Service believes the following RPMs are necessary and appropriate to minimize take of Dakota skippers.

1. Ensure all project personnel understand where clearly marked delineated suitable habitat is located and prior to the start of soil/vegetation disturbance activities.
2. Provide the Service with an annual report following any year Dakota skipper occupancy surveys are completed that details the survey findings.

3. Design and implement a monitoring plan to ensure that the anticipated amount or extent of incidental take is not exceeded.
4. Offsets to impacted suitable habitat committed to by the Federal action agency in Section 2.3 of the Biological Opinion can be addressed by either purchasing credits from a Service approved Dakota skipper bank, by establishing their own offsite or onsite mitigation site in accordance with the most recent Service guidance for Dakota skipper conservation bank establishment, or an alternative plan that is approved by the FWS. Should the Federal action agency establish their own onsite/offsite mitigation site, they must provide the Service with an initial reclamation plan for approval and a monitoring plan that includes a mitigation schedule, benchmarks, and long-term management planning. The Federal action agency must also provide an initial report on the reclamation (site prep and seeding) effort followed by annual reports that detail site establishment and management for the 5 years following the initial reclamation effort.

7.4 TERMS AND CONDITIONS

In order to be exempt from the prohibitions of section 9 of the ESA, the Federal action agency must comply with the following terms and conditions, which implement the reasonable and prudent measures (RPMs) described above and outline required reporting/monitoring requirements. These terms and conditions are non-discretionary.

To implement RPM 1:

1) The Federal action agency shall ensure any project proponent, construction company, or crew personnel are educated on Dakota skipper habitat, including its location and activity restrictions.
2) Delineated suitable habitat identified during the habitat surveys shall be clearly marked prior to the start of soil/vegetation disturbance activities.
3) The Federal action agency shall require the project proponent to preemptively layout the spoil pile locations, fueling, and/or staging areas to avoid, to the maximum extent practicable, the destruction of occupied, assumed occupied or potential Dakota skipper habitat identified in the project area.

To implement RPM 2:

1) A Service permitted Dakota skipper surveyor shall be contracted to conduct occupancy surveys, using the most recent Service protocol, within the suitable habitat identified during botanical surveys.
2) Occupancy survey results shall be provided to the Ecological Services, North Dakota Field Office by January 1 each year completed. The submission shall consist of a written document and include all collected spatial data, preferably as shapefiles.

To implement RPM 3:

1) The Federal action agency shall provide an annual report and shapefile to the Service showing the actual disturbance of the Proposed Action, in relation to those activities that are expected to result in incidental take of the Dakota skipper. This report should include:
    a. The actual amount of delineated suitable habitat that was removed, either permanently or temporarily.
    b. The actual amount of delineated suitable habitat that was traversed by mechanized

equipment but not necessarily removed (vegetation trampling).

c. The actual amount of adjacent grassland or pastureland habitat that was removed, either permanently or temporarily.

a) Any notable degradation of delineated suitable habitat from fugitive dust, contaminates, introduction of undesirable plant species, or other stressor impact as a result of the Proposed Action.

2) If, the level of incidental take is exceeded, such incidental take represents new information requiring re-initiation of consultation and review of the RPMs provided. The Federal action agency must immediately provide an explanation for the causes of the take and review with the Service the need for possible modification of the RPMs.

3) The Federal action agency will ensure all conservation measures addressed in the description of the proposed action are formally adopted and implemented.

To implement RPM 4:

1) Offsets to impacted suitable habitat, committed to by the Federal action agency in Section 2.3 of the Biological Opinion, can be addressed by either purchasing banking credits from a Service approved Dakota skipper bank or by establishing their own onsite or offsite mitigation site in accordance with the most recent Service guidance for Dakota skipper conservation bank establishment, or through an alternative plan approved by the FWS.

2) Should the Federal action agency choose to purchase banking credits from a Service approved Dakota skipper bank the ratio for the number of mitigation credits to be purchased for each acre of Dakota skipper suitable habitat impacted by the Proposed Action is:

Credit Purchase Ratios for Suitable Habitat Impacts		
Habitat Impacted	Impact Type	
	Temporary	Permanent
Suitable Habitat	1.25 credits : 1 acre	2 credits : 1 acre

3) Should the Federal action agency choose to establish their own onsite or offsite mitigation site, the agency will:

a. Use the following mitigation ratios. These ratios assume mitigation would occur after the impact and represent the number of acres needed at a mitigation site to offset for each acre of Dakota skipper suitable habitat impacted by the Proposed Action. These ratios consider the temporal delay of vegetation establishment and the sites proximity to existing Dakota skipper populations.

Mitigation Ratios for Suitable Habitat Impacts			
For Permanent Impacts		For Temporary Impacts	
Site <1 km from a known Dakota skipper population	Site >1 km from a known Dakota skipper population	Site <1 km from a known Dakota skipper population	Site >1 km from a known Dakota skipper population
3.5 acres : 1 acre	4.5 acres : 1 acre	2.5 acres : 1 acre	3.25 acres : 1 acre

b. Ensure the mitigation site occurs in an area that has > 50 acres of grassland habitat and has proper protections from commercial pesticide/herbicide application.

c. Provide the Service with a reclamation plan for approval prior to any mitigation activities.
d. Provide the Service with a monitoring plan that includes a mitigation schedule, benchmarks, and plans for long-term management of the site.
e. Provide the Service with an initial report on the reclamation (site prep and seeding) effort followed by annual reports that detail site establishment and management for the 5 years following reclamation.

Additional Terms and Conditions:

1) The Service is to be notified within three (3) working days upon locating any dead, injured, or sick endangered or threatened species specimen (see 50 C.F.R. § 402.14(I)(l)(v)). Initial notification must be made to the nearest U.S. Fish and Wildlife Service Office of Law Enforcement. Notification must include the date, time, precise location of the injured animal or carcass, and any other pertinent information. Care should be taken in handling sick or injured specimens to preserve biological materials in the best possible state for later analysis of cause of death, if that occurs. In conjunction with the care of sick or injured endangered or threatened species or preservation of biological materials from a dead animal, the finder has the responsibility to ensure that evidence associated with the specimen is not unnecessarily disturbed. Contact the U.S. Fish and Wildlife Service Office of Law Enforcement at (701) 255-0593, or the Ecological Services, North Dakota Field Office at (701) 250-4481.

7.5 CONSERVATION RECOMMENDATIONS

Conservation recommendations are suggestions of the Service regarding discretionary measures to minimize or avoid adverse effects of a proposed action on listed species or critical habitat or regarding the development of information (50 C.F.R. § 402.02). Section 7(a)(l) of the ESA directs the Federal action agency to utilize their authorities to further the purposes of the ESA by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery programs, or to develop information. The Service suggests the following Conservation Recommendations:

- Maintain a 250-meter buffer between project activities and suitable habitat and a 500-meter buffer between project activities and known occupied suitable habitat and/or designated critical habitat during the flight period (June 10 – July 25).
- Off-set adverse effects to the Dakota skipper from the Proposed Action through preservation, restoration, or mitigation for impacts to grassland habitat. The Federal action agency should address how intended off-sets would restore, preserve, or mitigate habitat impacts.
    - Preservation should focus on maintaining and securing the currently available grassland habitat from adverse effects.
    - Restoration should focus on restoring all disturbed areas to increase the overall available grassland habitat for Dakota skipper populations within the action area.

        - Seed mixes used for reseeding should contain a high number of native grass and forb species that will promote the Dakota skipper life cycle. The preferred grass to forb ratio for seeding is 60:40.
    - Mitigation should focus on habitat enhancement and protection in perpetuity. Priority should be given to sites near extant Dakota skipper populations.
    - Mitigation ratios for grassland habitat disturbances, either permanently or temporarily, recommended by the Service are:

Mitigation Ratios for Grassland Impacts (Dispersal/Foraging Habitat)			
For Permanent Impacts		For Temporary Impacts	
Site < 1 km from a known Dakota skipper population	Site > 1 km from a known Dakota skipper population	Site < 1 km from a known Dakota skipper population	Site > 1 km from a known Dakota skipper population
2 acres : 1 acre	2.6 acres : 1 acre	1 acre : 1 acre	1.3 acres : 1 acre

    - Mitigation site monitoring is recommended to ensure any efforts made to improve/increase Dakota skipper habitat within the action area are having the desired effect.

- To assist in meeting your [the Federal action agency] responsibilities under Section 7(a)(1) of the ESA, we recommend that you work proactively with the Service and others on Dakota skipper recovery actions. This includes identifying and remedying potential threats to Dakota skipper recovery.
- We encourage the Federal action agency and project proponents to seek technical assistance from the Service throughout the entirety of the Proposed Action.
- Consult experts and utilize the most up to date peer-reviewed research to make informed decisions when amending adaptive management into any mitigation plans.
- Promote restoration and enhancement projects for Dakota skippers and other pollinator species.

7.6 REINITIATION NOTICE

This concludes formal consultation on your September 2025, request for consultation. As provided in 50 C.F.R. § 402.16, re-initiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: 1) the amount or extent of incidental take is exceeded (2.02 acres permanently and 2.77 acres temporarily of suitable habitat and up to 110.814 acres permanently and 413.78 acres temporarily of dispersal habitat); 2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this BO; 3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this BO; or 4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending re-initiation.

8.0 LITERATURE CITED

73 FR 76272. Interagency Cooperation Under the Endangered Species Act. U.S. Fish and Wildlife Service, National Marine Fisheries Service. Federal Register 73:242 (December 16, 2008) pp. 76272-76287.

78 FR 47590. Endangered and Threatened Wildlife and Plants; Threatened Species Status for Graham's Beardtongue (Penstemon grahamii) and White River Beardtongue (Penstemon scariosus var. albifluvis). Federal Register 78:151 (August 6, 2013) pp. 47590-47611

78 FR 63578. Endangered and Threatened Wildlife and Plants; Threatened Status for Dakota Skipper and Endangered Status for Poweshiek Skipperling [Proposed Rule]. Federal Register 78:206 (October 24, 2013) pp. 63574-63625

79 FR 63672. Endangered and Threatened Wildlife and Plants; Threatened Species Status for Dakota Skipper and Endangered Species Status for Poweshiek Skipperling [Final Rule]. Federal Register 79:206 (October 24, 2014) pp. 63672-63747.

80 FR 59247. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Dakota Skipper and Poweshiek Skipperling. Federal Register 80:190 (October 1, 2015) pp. 59247-59384.

Barnes K.W., Toso, L., and N.D. Niemuth. 2024. Dakota skipper habitat suitability model for portions of North Dakota, South Dakota, and Minnesota. USFWS, Bismarck, ND. Available online at: https://ecos.fws.gov/ServCat/Reference/Profile/159874

Bergquist, E., P. Evangelista, T. J. Stohlgren, and N. Alley. 2007. Invasive species and coal bed methane development in the Powder River Basin. Wyoming Environmental Monitoring Assessments. 128:381-394

Braker, N. 1985. Felton Prairie. Minnesota Department of Natural Resources, Natural Heritage Program, St. Paul, MN.

Britten, H.B. and J.W. Glasford. 2002. Genetic population structure of the Dakota skipper (Lepidoptera: *Hesperia dacotae*): A North American native prairie obligate. Conservation Genetics [Conserv. Genet.). 3:363-374.

Bryce, S.A., J.M. Omernik, D.E. Pater, M. Ulmer, J. Schaar, J. Freeouf, R. Johnson, P. Kuck, and S.H. Azevedo. 1998. Ecoregions of North Dakota and South Dakota. (2 sided color poster with map, descriptive text, summary tables, and photographs). U.S. Geological Survey, Reston, VA. Scale 1:1,500,000. Available online at: http://www.epa.gov/wed/pages/ecoregions/ndsd eco.htm.

Burke, R., J. Fitzsimmons, and J. Kerr. 2011. A mobility index for Canadian butterfly species based on naturalists' knowledge. Biodiversity and Conservation 20:2273-2295.

Cochrane, J. F. and P. Delphey. 2002. Status assessment and conservation guidelines: Dakota skipper [*Hesperia dacotae* (Skinner)], (Lepidoptera: Hesperiidae): Iowa, Minnesota, North Dakota, South Dakota, Manitoba, and Saskatchewan. U.S. Fish and Wildlife Service, Bloomington , MN.

Dana, R. P. 1991. Conservation management of the prairie skippers Hesperia dacotae and Hesperia ottoe. Station Bulletin 594-1991 (AD-SB-5511-S), Minnesota Agricultural Experiment Station, University of Minnesota, St. Paul, Minnesota.

Dana, R. 1997. Characterization of three Dakota skipper sites in Minnesota., Minnesota Department of Natural Resources, Natural Heritage and Nongame Research Program, St. Paul, MN.

Endangered Species Act of 1973, Pub. L. No. 93-205, 87 Stat. 884 (codified as amended at 16 U.S.C. §§ 1531–1544).

Environmental Protection Agency (EPA). 1974. Information on levels of environmental noise requisite to protect public health and welfare with an adequate margin of safety. Prepared by U.S. EPA office of Noise Abatement and Control. EPA/ONAC 550/9-74-004.

EPA. 1995. Chapter 13: Miscellaneous Sources, 13.2 Introduction to fugitive dust sources in AP 42. Fifth edition. Compilation of air pollutant emission factors. Volume I: Stationary point and area sources. Office of Air Quality Planning and Standards, Office of Air and Radiation, Research Triangle Park, NC.

EPA. 2006. AP-42, Section 13.2.1: Paved Roads – Update (EPA Report No. C13S0201) [PDF] U.S. Environmental Protection Agency. https://epa-sdcc.ornl.gov/pdfs/c13s0201.pdf

Enz, John. W. 2003. North Dakota Topographic Climatic, and Agricultural Overview. North Dakota State University. https://www.ndsu.edu/fileadmin/ndsco/documents/ndclimate.pdf

Farmer, A. M. 1993. The effects of dust on vegetation – a review. Environmental Pollution. 79: 63-75

Forman, R. T. T., and L. E. Alexander. 1998. Roads and their major ecological effects. Annual Review of Ecology, Evolution, and Systematics 29:207-31.

Forman, R. T. T. 2000. Estimate of the Area Affected Ecologically by the Road System in the United States. Conservation Biology, 14: 31-35. https://doi.org/10.1046/j.1523-1739.2000.99299.x

Forman, R. T. T., and R. D. Deblinger. 2000. The Ecological Road-Effect Zone of a Massachusetts (U.S.A.) Suburban Highway. Conservation Biology 14:36-46. https://doi.org/10.1046/j.1523-1739.2000.99088.x

Gedafa, D. S. 2013. Measuring Dust from Unpaved Roads and Its Impact on Crops & Livestock. UND Civil Engineering, Grand Forks, ND. Available online at: http://www.ndenergy.org/.

Gedafa, D. S., J. Page, and H. Gullicks. 2016. Dust from low-volume roads due to energy sector traffic in North Dakota. Consideration for presentation at the Transportation Research Board's 95th Annual Meeting and publication in the Transportation Research Record: Journal of the Transportation Research Board.

Hanson C. E., D. A. Towers, and L. D. Meister. 2006. Transit Noise and Vibration Impact Assessment. Prepared for U.S. DOT Federal Transit Administration. FTA-VA-90-1003-06.

Knauer, H. S., S. Pedersen, C. N. Reherman, J. L. Rochat, E. S. Thalheimer, M. C. Lau, G. G. Fleming, M. Ferroni, and C. Corbisier. 2006. FHWA Highway Construction Noise Handbook. Federal Highway Administration.

Lenz, D. 1999. Characterization of Dakota skipper habitat in the Towner-Karlsruhe prairie complex., Natural Heritage Inventory, Nature Preserves Program, North Dakota Parks and Recreation Department, Bismarck, North Dakota.

Lewis, M. 2013. Roads and the Reproductive Ecology of Hesperidanthus suffrutescens, an endangered shrub. Master of Science Thesis, Utah State University, 121 pp.

McCabe, T. L. and R. L. Post. 1977. Skippers (Hesperioidea) of North Dakota. North Dakota Insects Publication No. 11, Department of Entomology, Agricultural Experiment Station, North Dakota State University.

McCabe, T. L. 1979. Dakota skipper (Lepidoptera: Hesperiidae; *Hesperia dacotae* (Skinner)) within the Garrison Diversion Unit, North Dakota

McCabe, T. L. 1981. The Dakota skipper, *Hesperia dacotae* (Skinner): Range and biology, with special reference to North Dakota. Journal of the Lepidopterists' Society 35:179-193.

McCrea, P. R. 1990. Effects of road dust on agricultural and horticultural production systems in New Zealand: A systems approach [Thesis]. University of Canterbury – Lincoln University.

Minet, J. and A. Surlykke. 2012. Auditory and sound producing organs. In Teilband/Part 36 Vol 2: Morphology, Physiology, and Development, Chapter 11, pp. 289-324. De Gruyter.

North Dakota Department of Transportation (NDDOT). 2025. Programmatic Biological Assessment for North Dakota Department of Transportation Projects.

NDDOT. 2025. Biological Assessment for US Highway 52 Four-lane Project.

NDDOT.

Orwig, T. 1995. Butterfly surveys in North Dakota: 1995. Unpublished report, The Natur Conservancy, Bismarck, ND November 1995. 13+ pp.

Preston, T. 2015. Presence and abundance of non-native plant species associated with recent energy development in the Willistion Basin. Environ. Monit. Assess. (2015)187:200.

Redford, K.H., G. Amoto, J. Baillie, P. Beldomenico, E.L. Bennett, N. Clum, R. Cook, G. Fonseca, S. Hedges, F. Launay, S. Lieberman, G. M. Mace, A. Murayama, A. Putnam, J.G. Robinson, H. Rosenbaum, E. W. Sanderson, S. N. Stuart, P. Thomas, and J. Thorbjarnarson. 2011. What does it mean to successfully conserve a (vertebrate) species? Bioscience 61:39-48.

Rigney, C. L. 2013. Habitat characterization and biology of the threatened Dakota skipper (*Hesperia dacotae*) in Manitoba. Masters of Science. The University of Winnipeg, Winnipeg, Manitoba, Canada.

Royer, R. A. and G. M. Marrone. 1992. Conservation status of the Dakota skipper (*Hesperia dacotae*) in North and South Dakota. U.S. Department of the Interior, Denver, CO.

Royer, R. A. 1997. A final report on conservation status of the Dakota skipper [Hesperia dacotae (Skinner 1911)] in the State of North Dakota during the 1996 and 1997 flights, including observations on its potential recovery in the state. Page 26. North Dakota Department of Parks and Recreation, Bismarck, ND.

Royer, R. A., R. A. McKenney, and W. E. Newton. 2008. A characterization of non-biotic environmental features of prairies hosting the Dakota skipper (Hesperia dacotae, Hesperiidae) across its remaining U.S. range. Journal of the Lepidopterists Society 62:1-17.

Royer, R. A. and M. R. Royer. 2012. Dakota Skipper and Poweshiek Skipperling Field Survey and Habitat Assessment at Twenty-Nine North Dakota Sites during the 2012 Season. Minot State University, Minot, ND.

Royer, R. A. and M. R. Royer. 2012a. Dakota Skipper and Poweshiek Skipperling Field Survey and Habitat Assessment for Twenty-Five North Dakota Sites during the 2012 Season: Preliminary Report. Division of Science, Minot State University, Minot, ND.

Royer, R. A., M. R. Royer, and E. A. Royer. 2014. Dakota skipper field survey and habitat assessment at twelve North Dakota sites during the 2014 season. A final report submitted to Twin Cities Field Office, U.S. Fish and Wildlife Service, Bloomington, MN. Minot State University, Minot, ND. 53 p.

Runquist, E. and C. Nordmeyer. 2018. Minnesota Zoo Prairie Butterfly Conservation Program 2017 Annual Report. Apple Valley, MN, Minnesota Zoo: 44pp.

Schlicht, D. and M. Saunders. 1994. Completion of status surveys for the Dakota skipper (Hesperia dacotae) and the Poweshiek skipper (Oarisma poweshiek) in Minnesota (with additional data on the regal fritillary (Speyeria idalia). Page 22 Final Report. U.S. Fish and Wildlife Service, Bloomington, MN.

Schlicht, D. 1997. Surveys for the Dakota skipper in Minnesota: Final Report., Minnesota Department of Natural Resources, Natural Heritage and Nongame Research Program, Center Point, IA.

Schlicht, D. 1997a. Population monitoring for prairie butterflies in Minnesota. Page 26 Final report. Minnesota Department of Natural Resources, St. Paul, MN.

Scott, J. A. 1986. The butterflies of North America. Stanford University Press, Stanford, CA. 583 pp.

Shanley, C. S., and S. Pyare. 2011. Evaluating the road-effect zone on wildlife distribution in a rural landscape. Ecosphere 2(2):art16. DOI:10.1890/ES10-00093.1

Sharifi, M. R., A. C. Gibson, and P. W. Rundel. 1997. Surface dust impacts on gas exchange in Mojave Desert Shrubs. Journal of Applied Ecology. 34(4): 837-846

Skadsen, D. R. 1997. A report on the results of a survey for Dakota skipper [Hesperia dacotae (Skinner, 1911)] in 1101theast South Dakota during the 1996 and 1997 flights. South Dakota Department of Game, Fish, and Parks, Pierre, SD.

Skadsen, D. R. 1999. Addendum to a report on the results of a survey for Dakota skipper [Hesperia dacotae (Skinner 1911)] in northeast South Dakota: 1998 flight period. South Dakota Department of Game, Fish, and Parks - Wildlife Division, Pierre, SD.

Skadsen, D. R. 2006. Surveys for Butterflies Listed as Endangered, Threatened or Species of Tribal Concern on the Sisseton-Wahpeton Oyate Lake Traverse Reservation., Natural History Investigations and Biological Services, Inc., Webster, SD.

Sharifi, M. R., A.C. Gibson and P.W. Rundel. 1997. Surface dust impacts on gas exchange in Mohave Desert shrubs. J. Appl. Ecol. 34(4):837-846.

Shilling, F. M., and D. P. Waetjen. 2012. The Road Effect Zone GIS Model. UC Davis: Institute of Transportation Studies. Retrieved from https://escholarship.org/uc/item/4537d6vj

Seidle, K. M., J. Kiss, A. U. Attanayake, JM DeVink, A. Bedard-Haughn, R. Westwood, E. G. Lamb. 2020. Extent of Dakota skipper, Hesperia dacotae, distribution in Southeastern Saskatchewan, Canada. Journal of Insect Conservation. 24:1073-1081. https://doi.org/10.1007/s10841-020-00276-6

Spomer, S.M. 2003. Butterfly and skipper survey, Dakota Prairie National Grassland, Ransom and Richland Counties, ND. 2002 Field Season Report. Submitted to Pamela J. Bell/Dan Svingen, Custer National Forest, 1310 Main, Billings, MT 59102. 18 pp.

Steinauer, E. M. and S. L. Collins. 1994. Prairie ecology-The Tallgrass Prairie. Pages 39-52 in F.B. Samson and F. L. Knopf, editors. Prairie Conservation: Preserving North America's Most Endangered Ecosystem. Island Press, Washington, D.C.

Sourakov, A. 2009. Extraordinarily quick visual startle reflexes of skipper butterflies (Lepidoptera: Hesperiidae) are among the fastest recorded in the animal kingdom. Florida Entomologist, 92(4):653-655. Florida entomological Society. https://doi.org/10.1653/024.092.0420

Sun, P., N. Mhatre, A. C. Mason, and J. E. Yack. 2018. In that vein: inflated wing veins contribute to butterfly hearing. Biology Letters, 14(10), 20180496. https://doi.org/10.1098/rsbl.2018.0496

Swengel, A. B. and S. R. Swengel. 1999. Observations of prairie skippers (Oarisma poweshiek, Hesperia dacotae, H. ottoe, H. leonardus pawnee, and Atrytone arogos iowa) (Lepidoptera: Hesperiidae) in Iowa, Minnesota, and North Dakota during 1988-1997. Great Lakes Entomologist 32:267-292.

Taylor, C. J., and J. E. Yack. 2019. Hearin in Caterpillars of the Monarch Butteryfly (*Danaus plexippus*). Journal of Experimental Biology. https://doi.org/10.1242/jeb.211862

Thompson, J.R., P. W. Mueller, W. Fluckiger, and A. J. Rutter. 1984. The effect of dust on photosynthesis and its significance for roadside plants. Environmental Pollution. 34:171-190.

U.S. Department of Agriculture (USDA). 1987. Soil mechanics level 1: Module 3-USDA textural soil classification, study guide. Soil Conservation Service. 48 pp.

U.S. Department of Transportation (USDOT). 2017. Construction Noise Handbook. Table 9.1 RCNM Default Noise Emission Reference Levels and Usage Factors.

U.S. Fish and Wildlife Service (USFWS) & National Marine Fisheries Service (NMFS). 1998. Consultation handbook, procedures for conducting consultation and conference activities under section 7 of the Endangered Species Act.

USFWS & NMFS. 2025. Interagency cooperation—Endangered Species Act of 1973, as amended. 50 C.F.R. § 402. https://www.ecfr.gov/current/title-50/section-402

USFWS. 2014. Dakota Skipper Database [Unpublished Geodatabase].

USFWS. 2018. Dakota Skipper (*Hesperia dacotae*) report on the species status assessment (SSA). Version 2 – September 2018.

USFWS. 2018a. Dakota Skipper/Poweshiek Skipperling Recovery Permit and Related Actions. 03E19000-2018-F-0915.

USFWS. 2021. Recovery Plan for the Dakota Skipper (*Hesperia dacotae*). U.S. Fish and Wildlife Service, Great Lakes Region, Bloomington, Minnesota.

USFWS. 2023. Dakota skipper Current Range [IPaC Shapefile]. Last Updated: April 6, 2023.

USFWS. 2024. North Dakota Dakota Skipper Recovery Status Report and 2024 Proposed Survey Areas. U.S. Fish and Wildlife Service, Mountain-Prairie Region, Bismarck, North Dakota.

USFWS. 2025. Dakota Skipper Database [Unpublished Geodatabase].

USFWS. 2025a. USFWS NDFO Conservation Recommendations. U.S. Fish and Wildlife Service - North Dakota Ecological Services Field Office. Bismarck, ND. Version 8/21/2025

U.S. Geological Survey (USGS), 2024, Annual NLCD Collection 1 Science Products: U.S. Geological Survey data release, https://doi.org/10.5066/P94UXNTS

Van der Ree, R., D. J. Smith, and C. Grilo. 2015. Handbook of Road Ecology. Wiley Blackwell. DOI:10.1002/9781118568170

Washington Department of Transportation (WSDOT). 2025. Biological Assessment Preparation Manual

Appendix G, Wetland Documentation

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
Alternative B1																	
1c	Sec 15 T-154-N R-82-W	Ditch	Natural	Y	0.001				N	N	N						
1d	Sec 15 T-154-N R-82-W	Ditch	Natural	Y	0.012	0.001			Y	N	N			Mitigation Bank TBD	0.001		
2	Sec 15 T-154-N R-82-W	Ditch	Created	N		0.020			N	N	N						
3	Sec 15 T-154-N R-82-W	Ditch	Created	N		0.014			N	N	N						
4	Sec 15 T-154-N R-82-W	Drainage	Natural	Y					N	N	N						
5a	Sec 15 T-154-N R-82-W	Drainage	Natural	Y	0.016	0.041			Y	Y	N	Mitigation Bank TBD	0.041				
5c	Sec 15 T-154-N R-82-W	Drainage	Natural	Y	0.027	0.041			Y	Y	N	Mitigation Bank TBD	0.041				
5d	Sec 14 T-154-N R-82-W	Drainage	Natural	Y	0.001	0.041			Y	Y	N	Mitigation Bank TBD	0.041				
5f	Sec 14 T-154-N R-82-W	Drainage	Natural	Y	0.002	0.024			Y	Y	N	Mitigation Bank TBD	0.024				
6	Sec 14 T-154-N R-82-W	Basin	Natural	N					N	N	N						
7a	Sec 14 T-154-N R-82-W	Basin	Natural	N					N	N	N						
7b	Sec 14 T-154-N R-82-W	Basin	Natural	N					N	N	N						
7c	Sec 14 T-154-N R-82-W	Ditch	Created	N					N	N	N						
8	Sec 24 T-154-N R-82-W	Drainage	Natural	N	0.034	0.014			Y	N	N			Mitigation Bank TBD	0.014		
78	Sec 24 T-154-N R-82-W	Slope	Natural	N	0.006	0.008			Y	N	N			Mitigation Bank TBD	0.008		
9a	Sec 24 T-154-N R-82-W	Drainage	Natural	Y	0.056	0.432			Y	Y	N	Mitigation Bank TBD	0.432				
10a	Sec 24 T-154-N R-82-W	Drainage	Natural	N	0.037	0.145			Y	N	N			Mitigation Bank TBD	0.145		

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
10b	Sec 24 T-154-N R-82-W	Drainage	Natural	N	0.009	0.041			Y	N	N			Mitigation Bank TBD	0.041		
77	Sec 24 T-154-N R-82-W	Basin	Natural	N					N	N	N						
11c	Sec 30 T-154-N R-81-W	Riverine	Natural	Y		0.031			Y	N	N			Mitigation Bank TBD	0.031		
11d	Sec 30 T-154-N R-81-W	Riverine	Natural	Y	0.092	0.060			Y	N	N			Mitigation Bank TBD	0.06		
11e	Sec 30 T-154-N R-81-W	Riverine	Natural	Y					N	N	N						
13	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.038			Y	N	N			Mitigation Bank TBD	0.038		
14	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
15	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.019			Y	N	N			Mitigation Bank TBD	0.019		
16	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
17	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
18	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.039			Y	N	N			Mitigation Bank TBD	0.039		
19	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.031			Y	N	N			Mitigation Bank TBD	0.031		
20b	Sec 5 T-153-N R-81-W	Basin	Natural	Y					N	N	N						
20c	Sec 5 T-153-N R-81-W	Fringe	Created	Y	0.035				N	N	N						
20e	Sec 5 T-153-N R-81-W	Ditch	Created	Y	0.008	0.008			N	N	N						
21	Sec 5 T-153-N R-81-W	Basin	Natural	N	0.156				N	N	N						
22	Sec 5 T-153-N R-81-W	Basin	Natural	N	0.002				N	N	N						
23c	Sec 4 T-153-N R-81-W	Drainage	Natural	Y	0.011				N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
Alternative B2																	
25a	Sec 9 T-153-N R-81-W	Drainage	Natural	Y	0.103	0.359			Y	Y	N	Mitigation Bank TBD	0.359				
25b	Sec 9 T-153-N R-81-W	Ditch	Created	Y		0.015			N	Y	N	Mitigation Bank TBD	0.015				
25c	Sec 9 T-153-N R-81-W	Drainage	Natural	Y	0.152	0.160			Y	Y	N	Mitigation Bank TBD	0.16				
26	Sec 10 T-153-N R-81-W	Ditch	Created	N		0.331			N	N	N						
27	Sec 10 T-153-N R-81-W	Ditch	Created	N		0.012			N	N	N						
28a	Sec 10 T-153-N R-81-W	Drainage	Natural	Y	0.032	0.123			Y	Y	N	Mitigation Bank TBD	0.123				
29	Sec 11 T-153-N R-81-W	Drainage	Natural	N		0.021			Y	N	N			Mitigation Bank TBD	0.021		
30	Sec 11 T-153-N R-81-W	Basin	Natural	Y					N	N	N						
31a	Sec 12 T-153-N R-81-W	Riverine	Natural	Y					N	N	N						
31c	Sec 12 T-153-N R-81-W	Riverine	Natural	Y					N	N	N						
31d	Sec 12 T-153-N R-81-W	Riverine	Natural	Y	0.007	0.015			Y	N	N			Mitigation Bank TBD	0.015		
31f	Sec 12 T-153-N R-81-W	Riverine	Natural	Y	0.019	0.038			Y	N	N			Mitigation Bank TBD	0.038		
32	Sec 12 T-153-N R-81-W	Ditch	Created	N					N	N	N						
79a	Sec 13 T-153-N R-81-W	Basin	Created	N					N	N	N						
80	Sec 13 T-153-N R-81-W	Slope	Natural	N					N	N	N						
Alternative B3																	
34d	Sec 13 T-153-N R-80-W	Drainage	Natural	N					N	N	N						
35a	Sec 18 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
35b	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
36	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
37	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
38	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
39a	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
39b	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
40	Sec 17 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
41	Sec 17 T-153-N R-80-W	Ditch	Created	N	0.004	0.022			N	N	N						
42a	Sec 17 T-153-N R-80-W	Basin	Natural	N	0.081	0.820			Y	N	N			Mitigation Bank TBD	0.82		
42b	Sec 17 T-153-N R-80-W	Ditch	Created	N		1.503			N	N	N						
42c	Sec 17 T-153-N R-80-W	Basin	Natural	N	0.046	0.429			Y	N	N			Mitigation Bank TBD	0.429		
43a	Sec 17 T-153-N R-80-W	Ditch	Created	Y	0.240	0.125			N	Y	N	Mitigation Bank TBD	0.125				
43b	Sec 17 T-153-N R-80-W	Ditch	Created	Y	0.025	0.043			N	Y	N	Mitigation Bank TBD	0.043				
43c	Sec 17 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
44	Sec 17 T-153-N R-80-W	Basin	Natural	N					N	N	N						
45	Sec 17 T-153-N R-80-W	Basin	Natural	N	0.035	0.224			Y	N	N			Mitigation Bank TBD	0.224		
46	Sec 17 T-153-N R-80-W	Basin	Natural	N					N	N	N						
47a	Sec 20 T-153-N R-80-W	Ditch	Created	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
47b	Sec 21 T-153-N R-80-W	Ditch	Created	Y	0.197	0.078			N	Y	N	Mitigation Bank TBD	0.078				
47c	Sec 21 T-153-N R-80-W	Ditch	Created	Y	0.003	0.589			N	Y	N	Mitigation Bank TBD	0.589				
47d	Sec 21 T-153-N R-80-W	Ditch	Created	Y	0.018	0.106			N	Y	N	Mitigation Bank TBD	0.106				
47e	Sec 21 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
47f	Sec 21 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
48	Sec 21 T-153-N R-80-W	Ditch	Created	N					N	N	N						
49a	Sec 21 T-153-N R-80-W	Riverine	Natural	Y					N	N	N						
49c	Sec 21 T-153-N R-80-W	Riverine	Natural	Y					N	N	N						
50	Sec 21 T-153-N R-80-W	Ditch	Created	N					N	N	N						
51a	Sec 21 T-153-N R-80-W	Drainage	Natural	Y	0.007	0.042			Y	Y	N	Mitigation Bank TBD	0.042				
51c	Sec 21 T-153-N R-80-W	Drainage	Natural	Y	0.010	0.081			Y	Y	N	Mitigation Bank TBD	0.081				
51d	Sec 21 & 22 T-153-N R-80-W	Drainage	Natural	Y	0.008	0.042			Y	Y	N	Mitigation Bank TBD	0.042				
51f	Sec 21 & 22 T-153-N R-80-W	Drainage	Natural	Y	0.007	0.158			Y	Y	N	Mitigation Bank TBD	0.158				
52	Sec 22 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
53	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
54	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
No Alternative B4																	
55	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
56a	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56b	Sec 22 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
56c	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56d	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56e	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
57	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
58	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
59b	Sec 23 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
59c	Sec 23 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
59d	Sec 23 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
60	Sec 23 T-153-N R-80-W	Ditch	Created	N					N	N	N						
61a	Sec 26 T-153-N R-80-W	Slope	Natural	Y					N	N	N						
Alternative B5																	
61b	Sec 26 T-153-N R-80-W	Slope	Natural	Y					N	N	N						
61c	Sec 26 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
61d	Sec 26 T-153-N R-80-W	Drainage	Natural	Y	0.123	0.512			Y	Y	N	Mitigation Bank TBD	0.512				
61e	Sec 25 T-153-N R-80-W	Slope	Natural	Y					N	N	N						
61f	Sec 25 T-153-N R-80-W	Slope	Natural	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
61g	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.195	1.329			Y	Y	N	Mitigation Bank TBD	1.329				
61i	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.012	0.001			Y	Y	N	Mitigation Bank TBD	0.001				
61k	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.051	0.652			Y	Y	N	Mitigation Bank TBD	0.652				
61l	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.163	0.173			Y	Y	N	Mitigation Bank TBD	0.173				
61m	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.036	0.093			Y	Y	N	Mitigation Bank TBD	0.093				
61o	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.062	0.114			Y	Y	N	Mitigation Bank TBD	0.114				
61q	Sec 31 T-153-N R-79-W	Drainage	Natural	Y					N	N	N						
61r	Sec 31 T-153-N R-79-W	Drainage	Natural	Y	0.043	0.132			Y	Y	N	Mitigation Bank TBD	0.132				
61t	Sec 31 T-153-N R-79-W	Drainage	Natural	Y		0.064			Y	Y	N	Mitigation Bank TBD	0.064				
61u	Sec 31 T-153-N R-79-W	Drainage	Natural	Y	0.005	0.045			Y	Y	N	Mitigation Bank TBD	0.045				
61w	Sec 31 T-153-N R-79-W	Drainage	Natural	Y	0.079	0.096	0.107	0.050	Y	Y	Y	Mitigation Bank TBD	0.096			Mitigation Bank TBD	0.050
61x	Sec 2 T-152-N R-80-W	Drainage	Natural	Y	0.313	0.992			Y	Y	N	Mitigation Bank TBD	0.992				
62	Sec 26 T-153-N R-80-W	Slope	Natural	N	0.019	0.025			Y	N	N			Mitigation Bank TBD	0.025		
63a	Sec 26 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
63b	Sec 26 T-153-N R-80-W	Slope	Natural	Y	0.037	0.334			Y	Y	N	Mitigation Bank TBD	0.334				
64	Sec 36 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
65	Sec 31 T-153-N R-79-W	Ditch	Created	N	0.013	0.012			N	N	N						
66	Sec 31 T-153-N R-79-W	Ditch	Created	N		0.028			N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
67	Sec 31 T-153-N R-79-W	Ditch	Created	N	0.006	0.017			N	N	N						
Alternative B6																	
61y	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.151	0.615	0.151	0.135	Y	Y	Y	Mitigation Bank TBD	0.615			Mitigation Bank TBD	0.135
61z	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.044	0.207	0.044	0.102	Y	Y	Y	Mitigation Bank TBD	0.207			Mitigation Bank TBD	0.102
61aa	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.197	0.939	0.197	0.343	Y	Y	Y	Mitigation Bank TBD	0.939			Mitigation Bank TBD	0.343
68a	Sec 2 T-152-N R-80-W	Basin	Natural	Y					N	N	N						
68b	Sec 1 T-152-N R-80-W	Basin	Natural	Y	0.006	0.002		0.013	Y	N	Y			Mitigation Bank TBD	0.002	Mitigation Bank TBD	0.013
69	Sec 1 T-152-N R-80-W	Basin	Natural	Y					N	N	N						
70	Sec 1 T-152-N R-80-W	Basin	Natural	Y					N	N	N						
71	Sec 1 T-152-N R-80-W	Ditch	Created	N					N	N	N						
72a	Sec 1 T-152-N R-80-W	Ditch	Created	Y		0.058			N	Y	N	Mitigation Bank TBD	0.058				
72b	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.016	0.098			Y	Y	N	Mitigation Bank TBD	0.098				
72c	Sec 1 T-152-N R-80-W	Ditch	Created	Y		0.077			N	Y	N	Mitigation Bank TBD	0.077				
72d	Sec 1 T-152-N R-80-W	Ditch	Created	Y	0.007	0.034			N	Y	N	Mitigation Bank TBD	0.034				
73	Sec 6 T-152-N R-79-W	Ditch	Created	N					N	N	N						
74	Sec 6 T-152-N R-79-W	Ditch	Created	N					N	N	N						
75a	Sec 6 T-152-N R-79-W	Ditch	Created	Y					N	N	N						
75b	Sec 6 T-152-N R-79-W	Ditch	Created	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
76	Sec 6 T-152-N R-79-W	Basin	Natural	Y					N	N	N						
34-PL	Sec 6, T152N, R79W	Basin	Natural	Y					N	N	N						
35-PL	Sec 6, T152N, R79W	Basin	Natural	N					N	N	N						
36-PL	Sec 5 & 6, T152N, R79W	Basin	Natural	N	0.024				N	N	N						
37-PL	Sec 5 & 6, T152N, R79W	Basin	Natural	Y					N	N	N						
38a-PL	Sec 5, T152N, R79W	Basin	Natural	Y					N	N	N						
38b-PL	Sec 5, T152N, R79W	Basin	Natural	Y					N	N	N						
38c-PL	Sec 5, T152N, R79W	Basin	Natural	Y	0.044				N	N	N						
38d-PL	Sec 5, T152N, R79W	Ditch	Created	Y					N	N	N						
				Totals	**3.145**	**13.033**	**0.499**	**0.643**					**9.065**		**2.001**		**0.643**

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters				Other Water Mitigation								
					Acres				Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
Alternative B1																	
OW-1a	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.001	0.014	0.011	0.003	Y	Y	N	Mitigation Bank TBD; 2:1	0.022				
OW-1b	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.006	0.097	0.097		Y	Y	N	Mitigation Bank TBD; 2:1	0.194				
OW-5b	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.002	0.020	0.012	0.008	Y	Y	N	Mitigation Bank TBD; 2:1	0.024				
OW-5e	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.001	0.015	0.015		Y	Y	N	Mitigation Bank TBD; 2:1	0.030				
OW-9b	Sec 24 T-154-N R-82-W	Stream	Natural	Y	0.005	0.038	0.033	0.005	Y	Y	N	Mitigation Bank TBD; 2:1	0.066				
OW-11a	Sec 30 T-154-N R-81-W	Stream	Natural	Y	0.020	0.059	0.029	0.030	Y	Y	N	Mitigation Bank TBD; 2:1	0.058				
OW-11b	Sec 30 T-154-N R-81-W	Stream	Natural	Y	0.161	0.145	0.145		Y	Y	N	Mitigation Bank TBD; 2:1	0.290				
OW-12a	Sec 31 T-154-N R-81-W	Stream	Natural	Y	0.004	0.026	0.015	0.011	Y	Y	N	Mitigation Bank TBD; 2:1	0.030				
OW-12b	Sec 31 T-154-N R-81-W	Stream	Natural	Y	0.003	0.013	0.010	0.003	Y	Y	N	Mitigation Bank TBD; 2:1	0.020				
OW-20a	Sec 5 T-153-N R-81-W	Stream	Natural	Y	0.088	0.511	0.343	0.168	Y	Y	N	Mitigation Bank TBD; 2:1	0.686				
OW-20d	Sec 5 T-153-N R-81-W	Stream	Natural	Y	0.025	0.016	0.013	0.003	Y	Y	N	Mitigation Bank TBD; 2:1	0.026				
OW-23a	Sec 4 T-153-N R-81-W	Stream	Natural	Y	0.004	0.067	0.054	0.013	Y	Y	N	Mitigation Bank TBD; 2:1	0.108				
OW-23b	Sec 4 T-153-N R-81-W	Stream	Natural	Y	0.004	0.033	0.006	0.027	Y	Y	N	Mitigation Bank TBD; 2:1	0.012				
OW-24a	Sec 9 T-153-N R-81-W	Stream	Natural	Y	0.061	0.145	0.119	0.026	Y	Y	N	Mitigation Bank TBD; 2:1	0.238				
OW-24b	Sec 9 T-153-N R-81-W	Stream	Natural	Y	0.060	0.033	0.032	0.001	Y	Y	N	Mitigation Bank TBD; 2:1	0.064				
Alternative B2																	
OW-28b	Sec 10 T-153-N R-81-W	Stream	Natural	Y	0.008	0.043	0.043		Y	Y	N	Mitigation Bank TBD; 2:1	0.086				
OW-31b	Sec 12 T-153-N R-81-W	Stream	Natural	Y					N	N	N						

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters				Other Water Mitigation								
					Acres				Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
OW-31e	Sec 12 T-153-N R-81-W	Stream	Natural	Y	0.003	0.015	0.010	0.005	N	N	N						
OW-33a	Sec 13 T-153-N R-81-W	Stream	Natural	N					N	N	N						
OW-33b	Sec 13 T-153-N R-81-W	Stream	Natural	N					N	N	N						
OW-79b	Sec 13 T-153-N R-81-W	Pond	Natural	N					N	N	N						
Alternative B3																	
OW-34a	Sec 18 T-153-N R-80-W	Stream	Natural	N					N	N	N						
OW-34b	Sec 18 T-153-N R-80-W	Stream	Natural	N	0.001	0.007	0.007		N	N	N						
OW-34c	Sec 18 T-153-N R-80-W	Stream	Natural	N		0.012	0.012		N	N	N						
OW-49b	Sec 21 T-153-N R-80-W	Stream	Natural	Y					N	N	N						
OW-49d	Sec 21 T-153-N R-80-W	Stream	Natural	Y	0.029	0.138	0.138		Y	Y	N	Mitigation Bank TBD; 2:1	0.276				
OW-51b	Sec 21 T-153-N R-80-W	Stream	Natural	Y	0.004	0.020	0.020		Y	Y	N	Mitigation Bank TBD; 2:1	0.04				
OW-51e	Sec 21&22 T-153-N R-80-W	Stream	Natural	Y	0.007	0.071	0.071		Y	Y	N	Mitigation Bank TBD; 2:1	0.142				
No Alternative B4																	
OW-59a	Sec 23 T-153-N R-80-W	Stream	Natural	Y					N	N	N						
Alternative B5																	
OW-61h	Sec 36 T-153-N R-80-W	Stream	Natural	Y	0.010	0.013	0.013		Y	Y	N	Mitigation Bank TBD; 2:1	0.026				
OW-61j	Sec 36 T-153-N R-80-W	Stream	Created	Y	0.006	0.313	0.313		N	Y	N	Mitigation Bank TBD; 2:1	0.626				
OW-61n	Sec 36 T-153-N R-80-W & Sec 31 T-153-N R-79-W	Stream	Natural	Y	0.005	0.044	0.044		Y	Y	N	Mitigation Bank TBD; 2:1	0.088				

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters (Acres)				Other Water Mitigation								
									Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
OW-61p	Sec 31 T-153-N R-79-W	Stream	Natural	Y					N	N	N						
OW-61s	Sec 31 T-153-N R-79-W	Stream	Natural	Y	0.021	0.064	0.064		Y	Y	N	Mitigation Bank TBD; 2:1	0.128				
OW-61v	Sec 31 T-153-N R-79-W	Stream	Natural	Y	0.010	0.008	0.008		Y	Y	N	Mitigation Bank TBD; 2:1	0.016				
				Totals	**0.549**	**1.980**	**1.677**	**0**					**3.296**		**0.000**		**0.000**

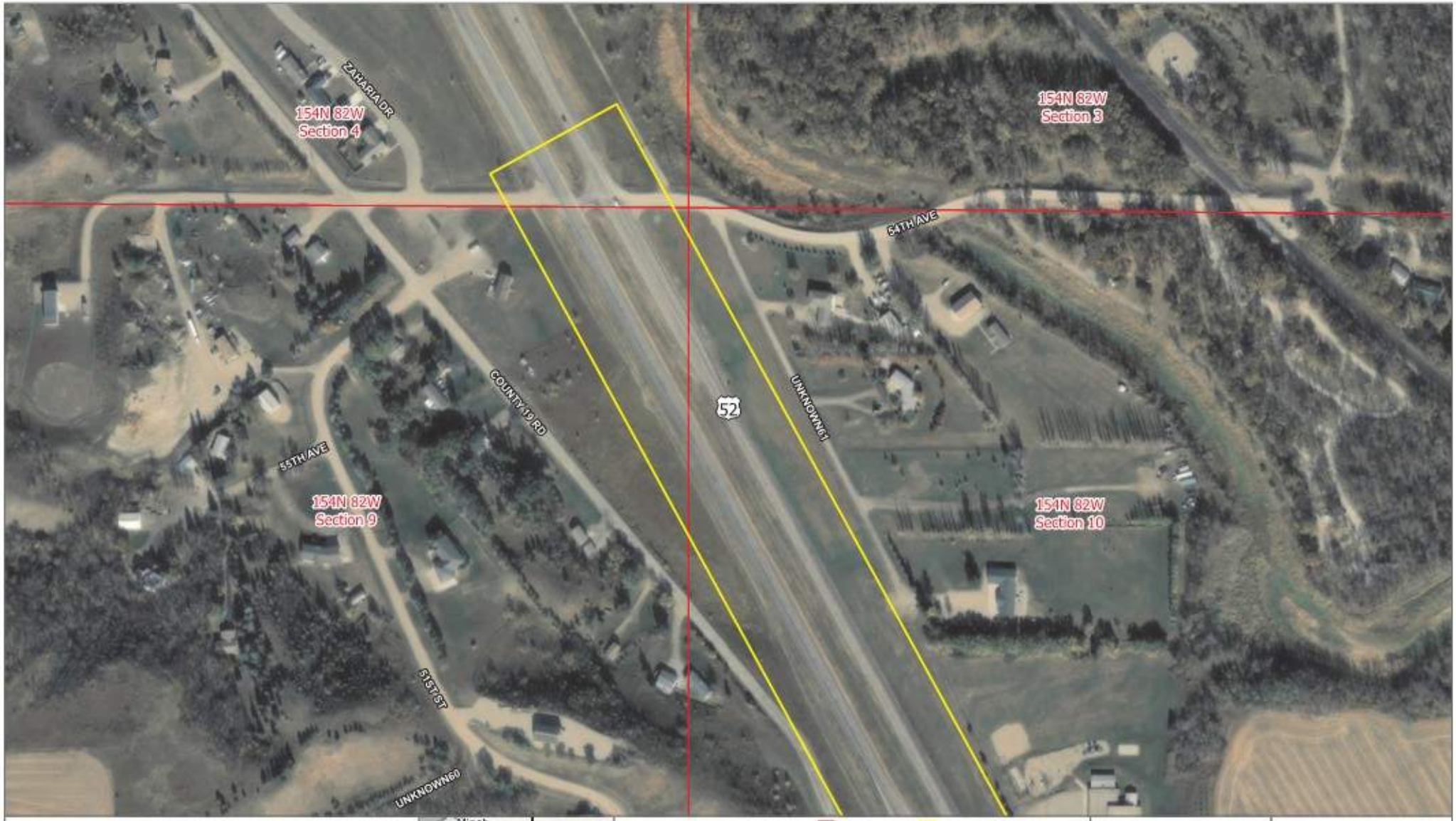
[1] A wetland Jurisdictional Determination was issued by the USACE on 9/5/25: NWO-2022-00132-BIS

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	**Total (Acres)**	**Wetland Type**	**Total (Acres/Lf)**
Natural/JD (Fill/Drain)	8.087	**Temporary JD**	2.673
Natural/Non-JD (Fill/Drain)	1.854	**Non-JD Temporary**	0.472
Artificial/JD (Fill/Drain)	1.133		
Artificial /Non-JD (Fill/Drain))	1.959	**Permanent OW**	1.980
Total	**13.033**	**Temporary OW**	0.549

Mitigation Summary Table

	Location	Ditch Shift Acre(s)	Onsite Acre(s)	Offsite Acre(s)	11990 Bank Acre(s)	USACE/11990 Bank Acre(s)	USFWS Bank Acre(s)
USACE Only	Mitigation Bank TBD					1.751	
EO 11990 Only	Mitigation Bank TBD				2.001		
USACE/11990	Mitigation Bank TBD					10.610	
USFWS	Mitigation Bank TBD						0.643
	Total	**0.000**	**0.000**	**0.000**	**2.001**	**12.361**	**0.643**



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

● Mile Marker — US Highway ▭ PLSS Sections ▭ Study Area

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

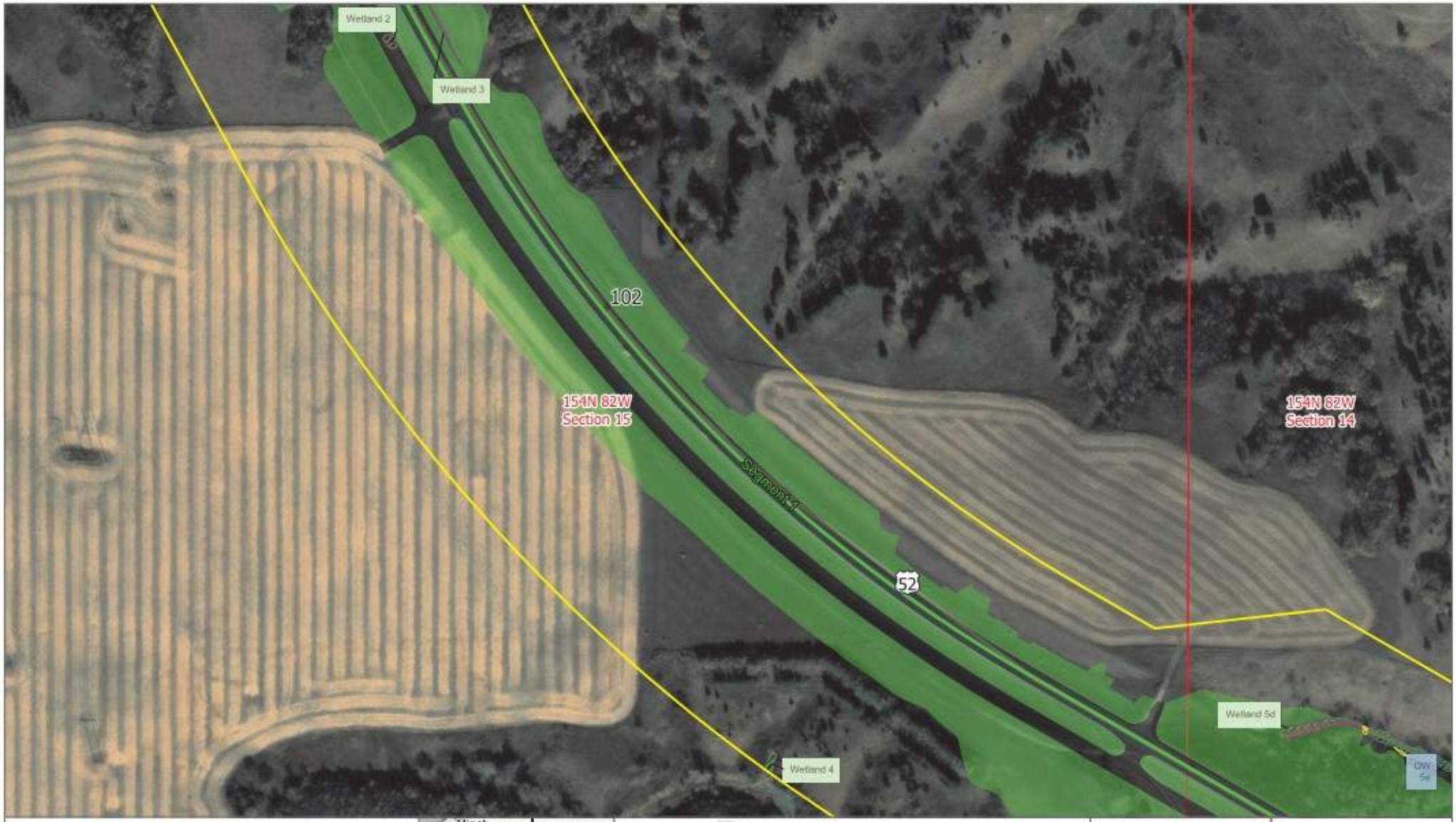
- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

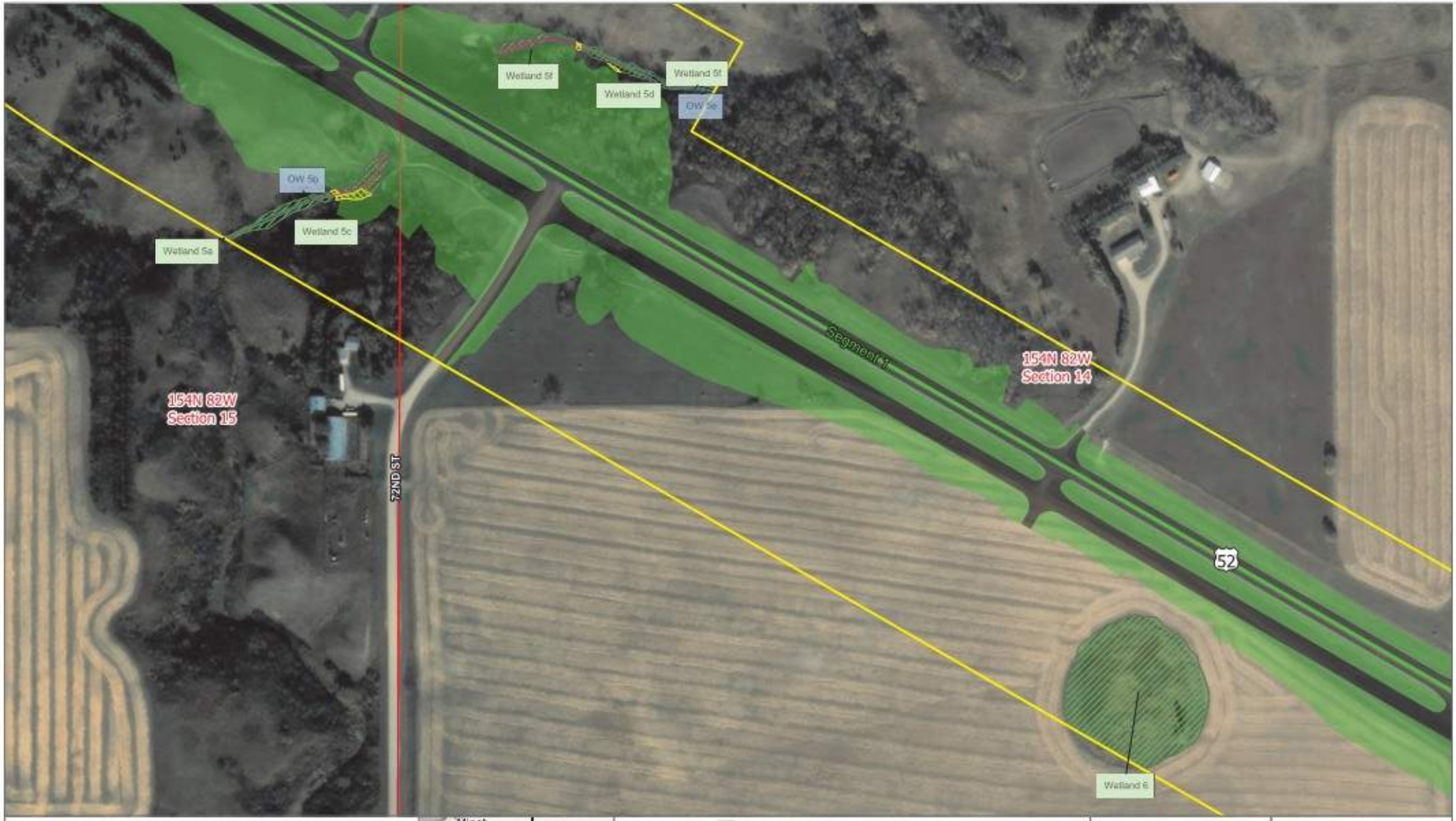
- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



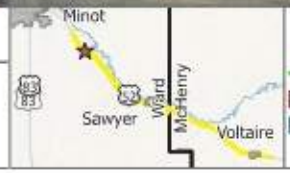
WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800



- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

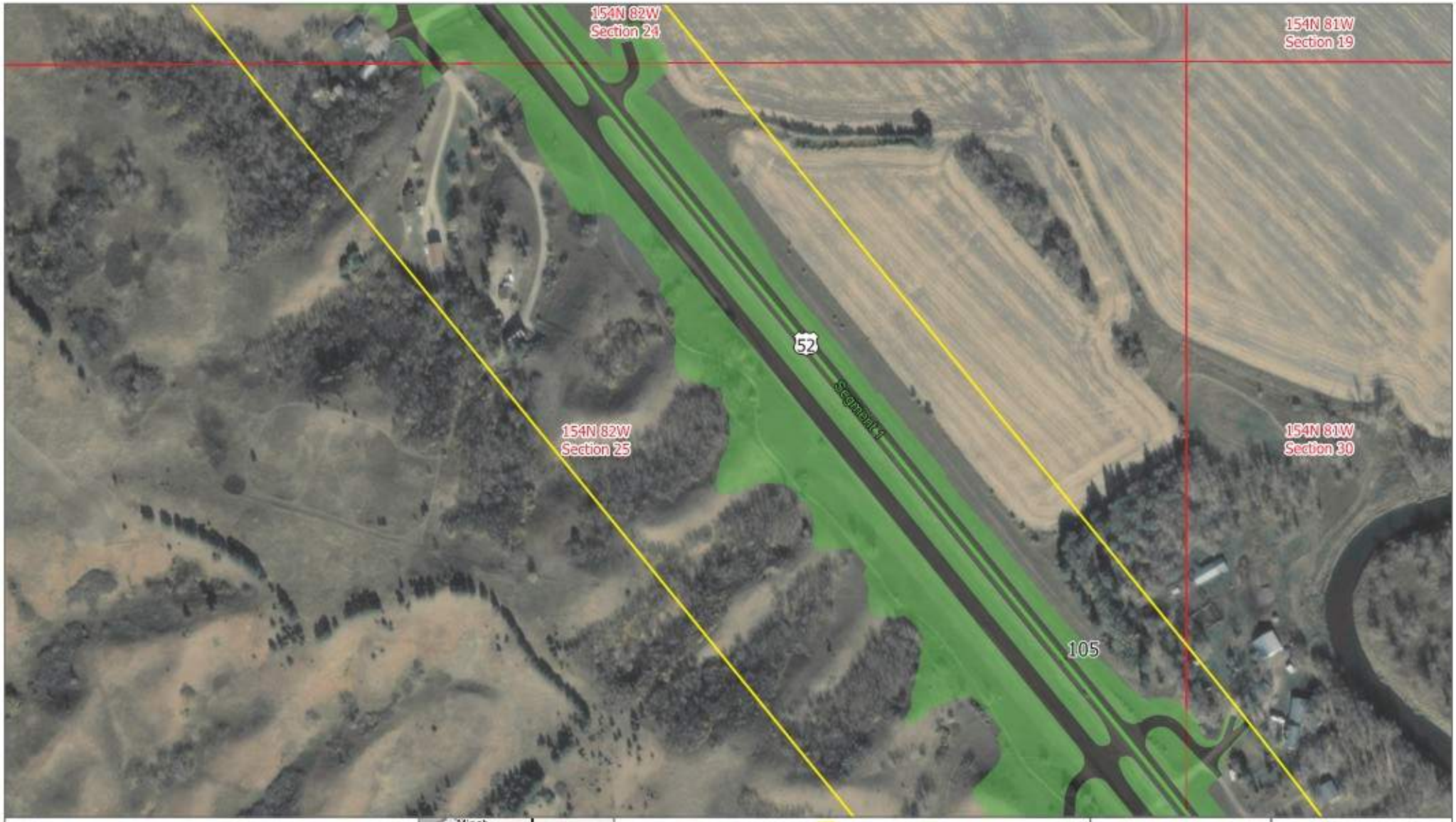
0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:25 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- Segment 2
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 2
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward & McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- Segment 3
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward & McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- Segment 3
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
Ward & McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- PLSS Sections
- Other Water
- Wetland
- Study Area

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

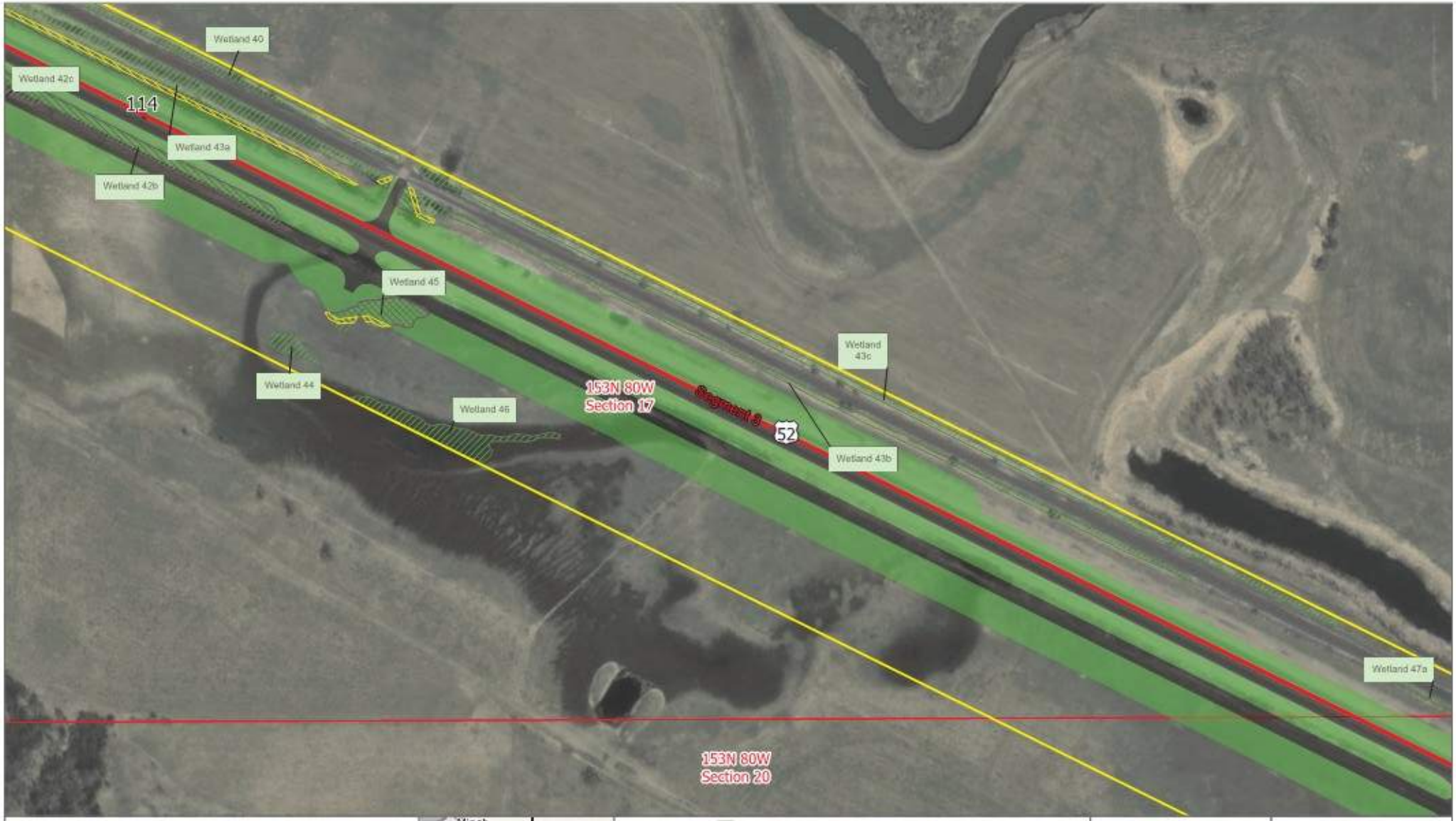
- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

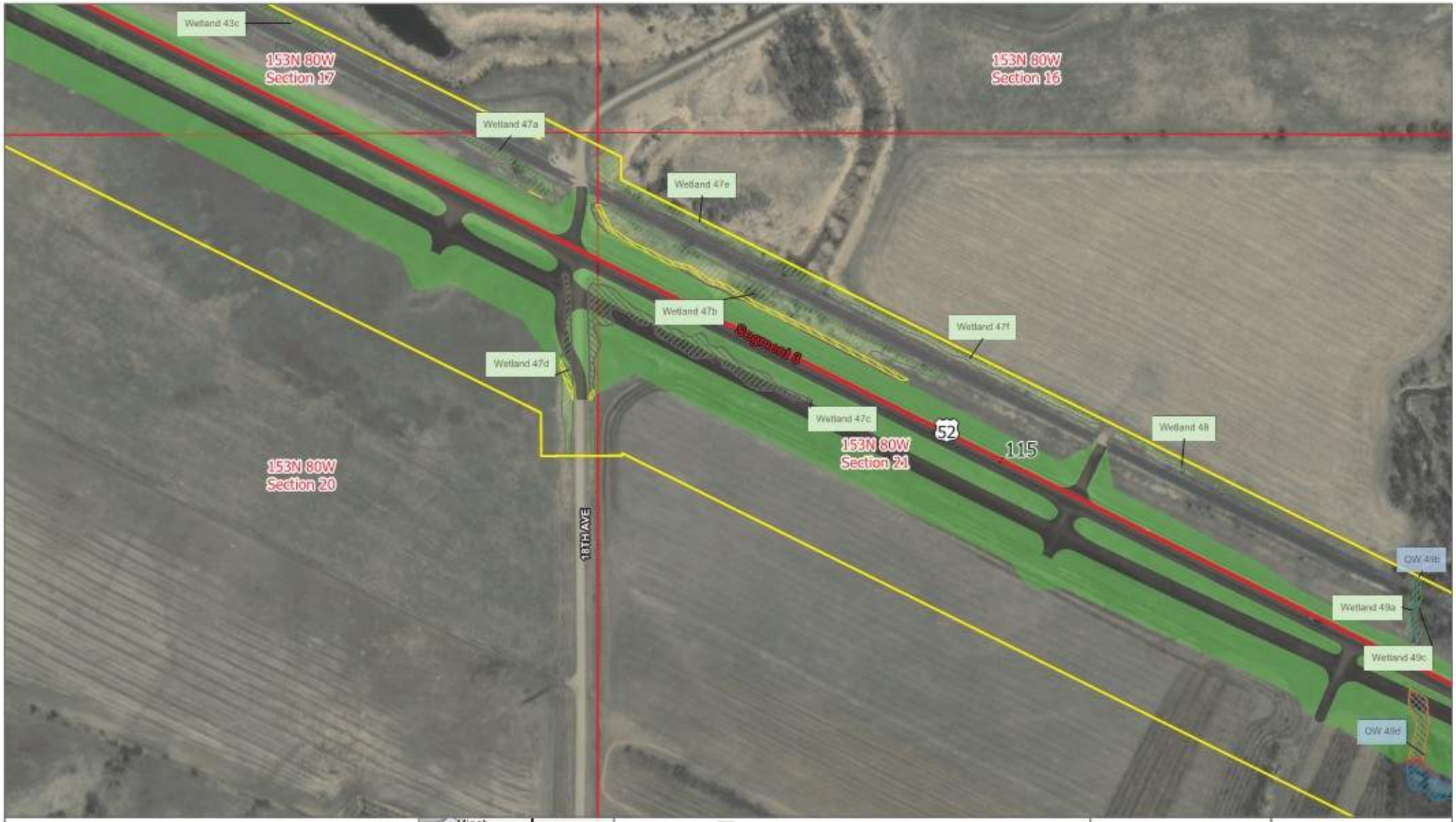
- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: 4-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

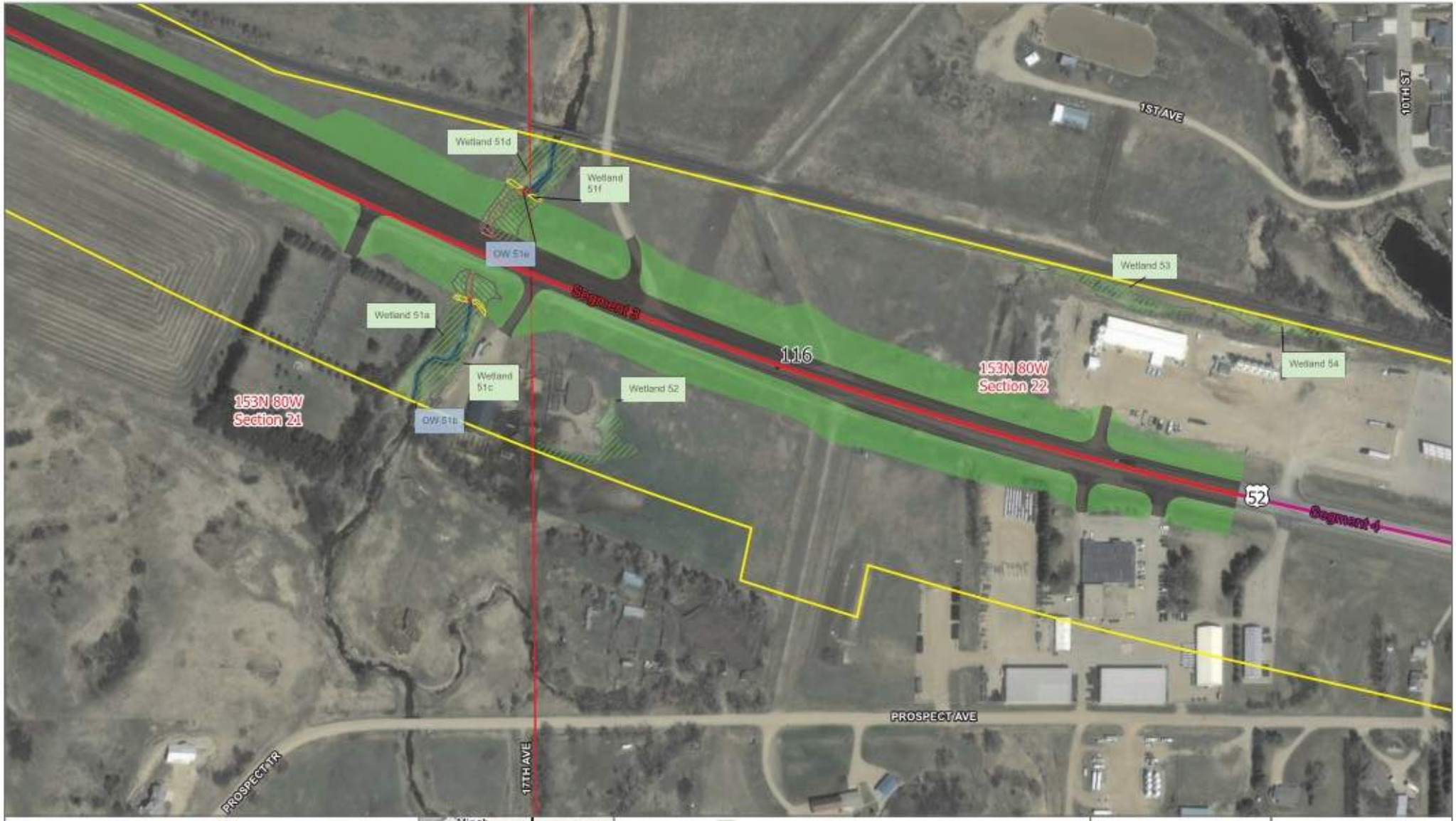
- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 3
- Segment 4
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit
- Shared-Use Path

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

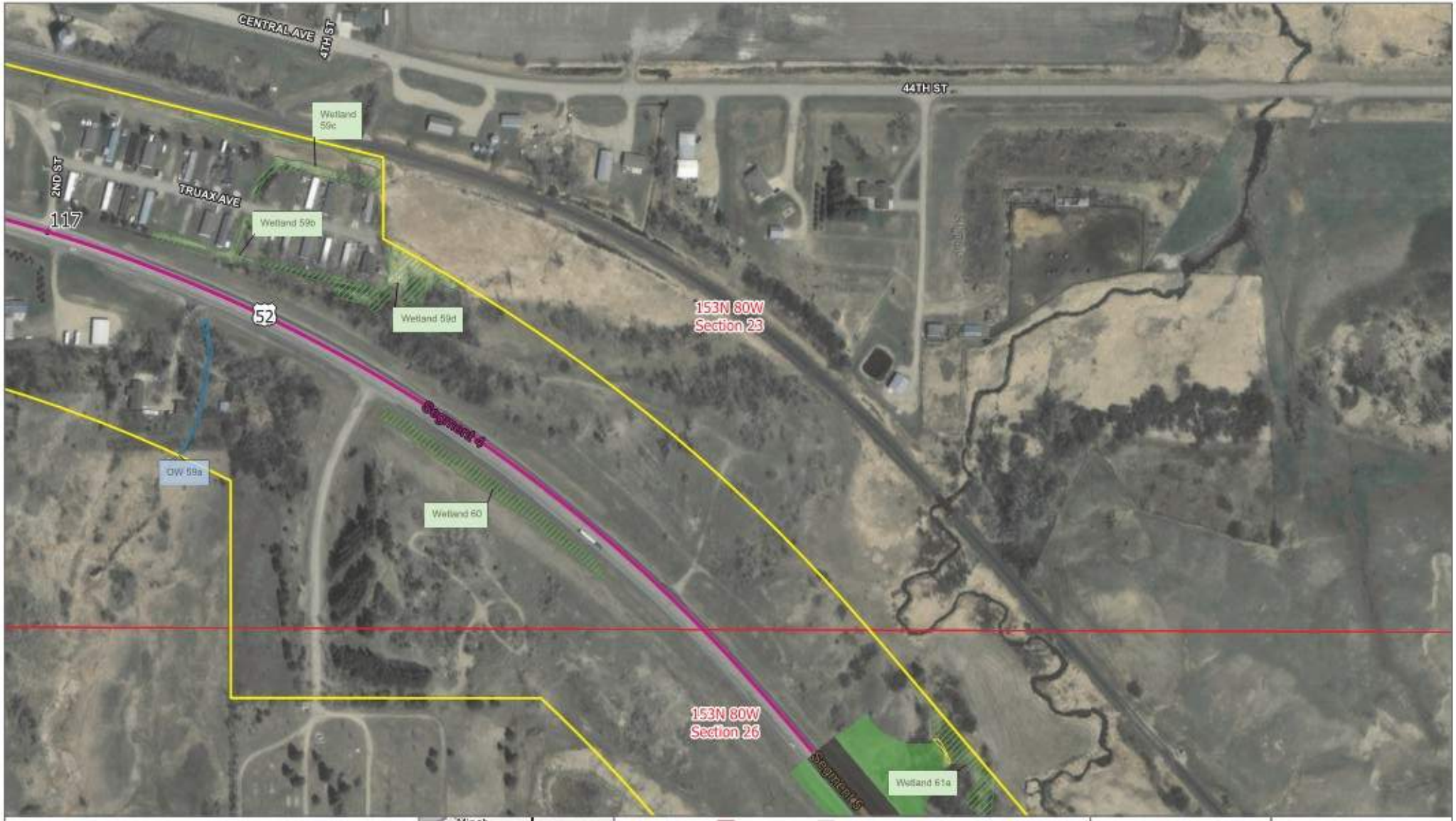
0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 4
- PLSS Sections
- Wetland
- Study Area

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: 4-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 4
- Segment 5
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts- McHenry

- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 4
- Segment 5
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

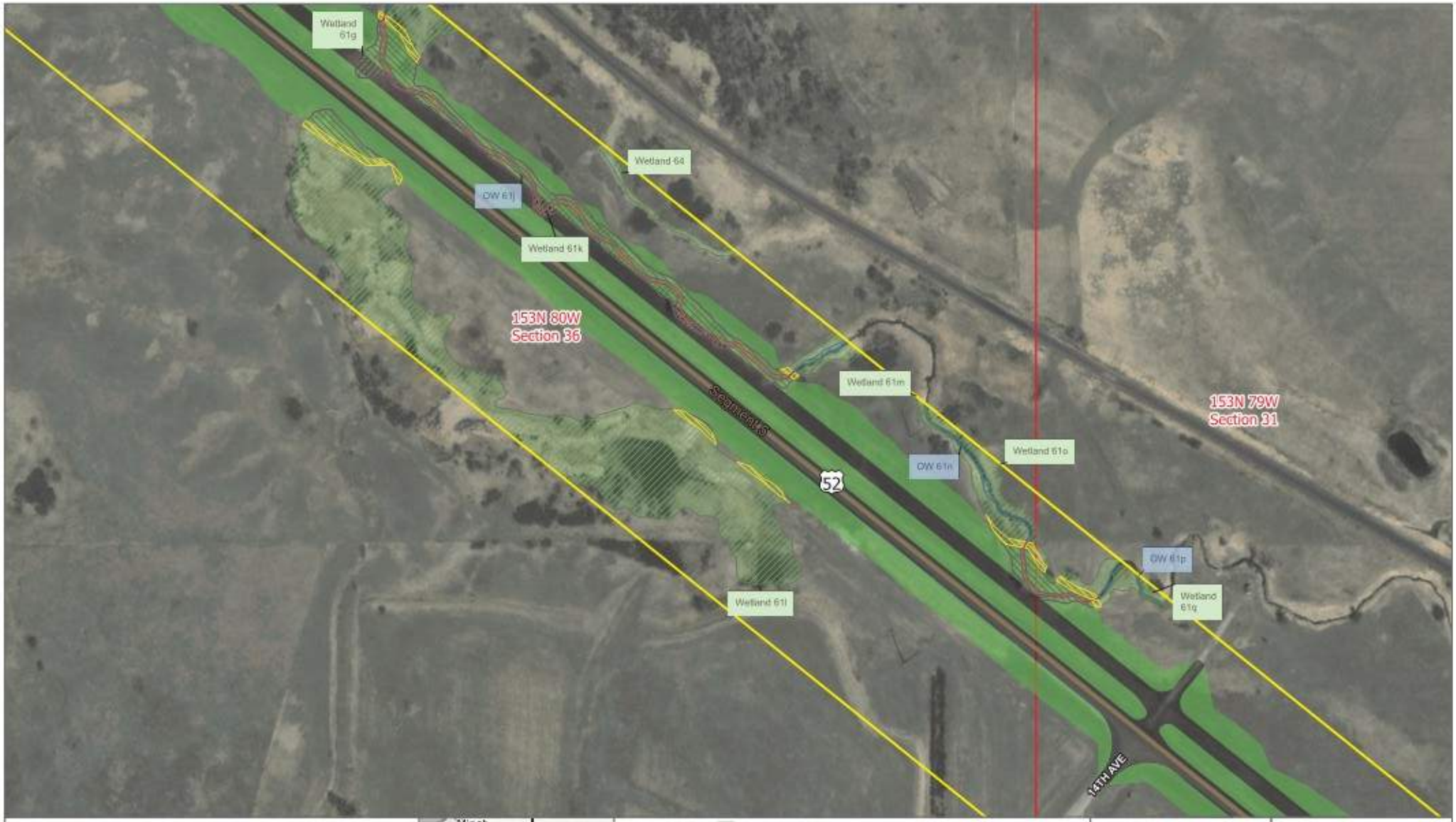
- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

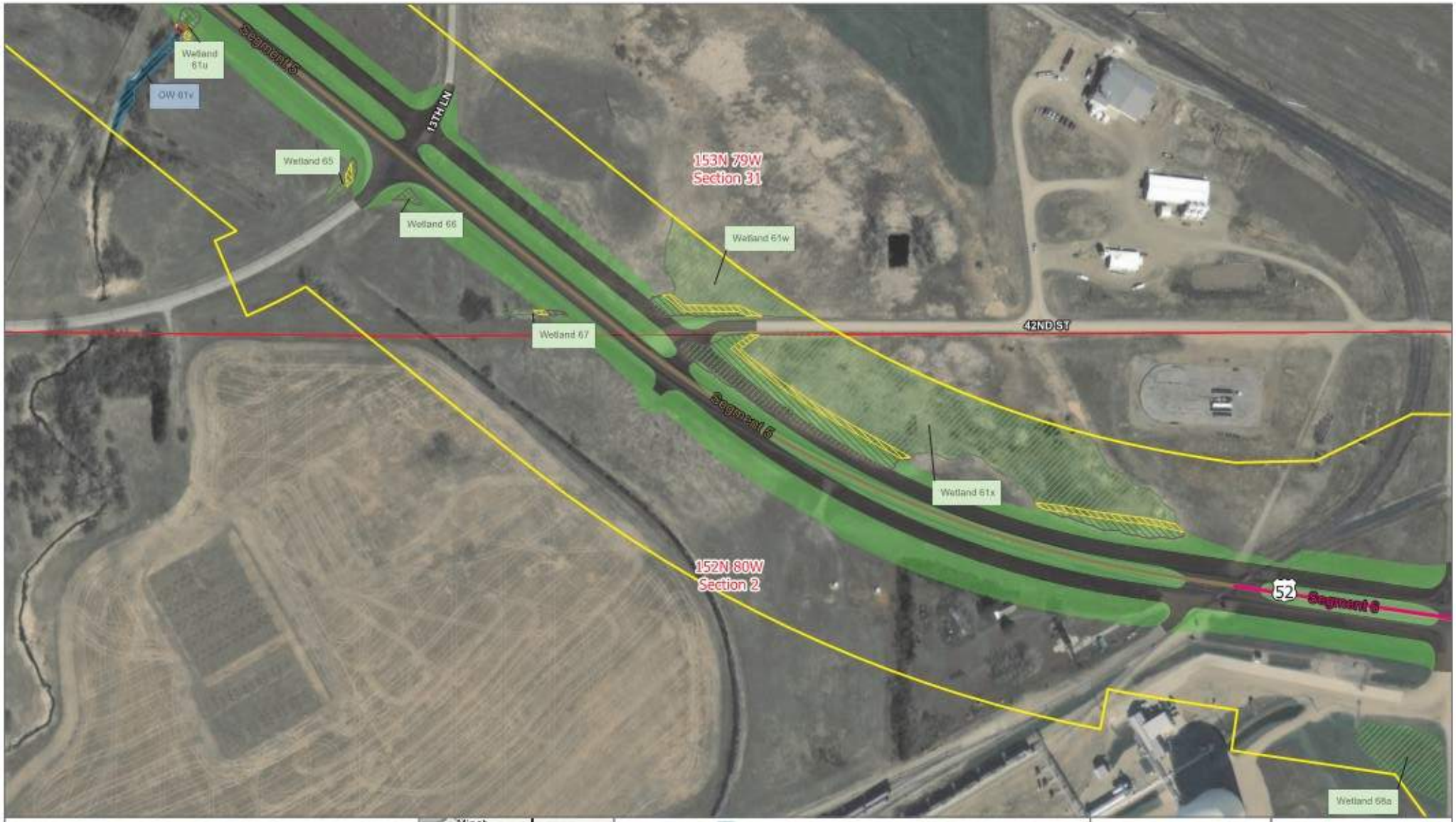
- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts- McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 5
- Segment 6
- PLSS Sections
- Other Water
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

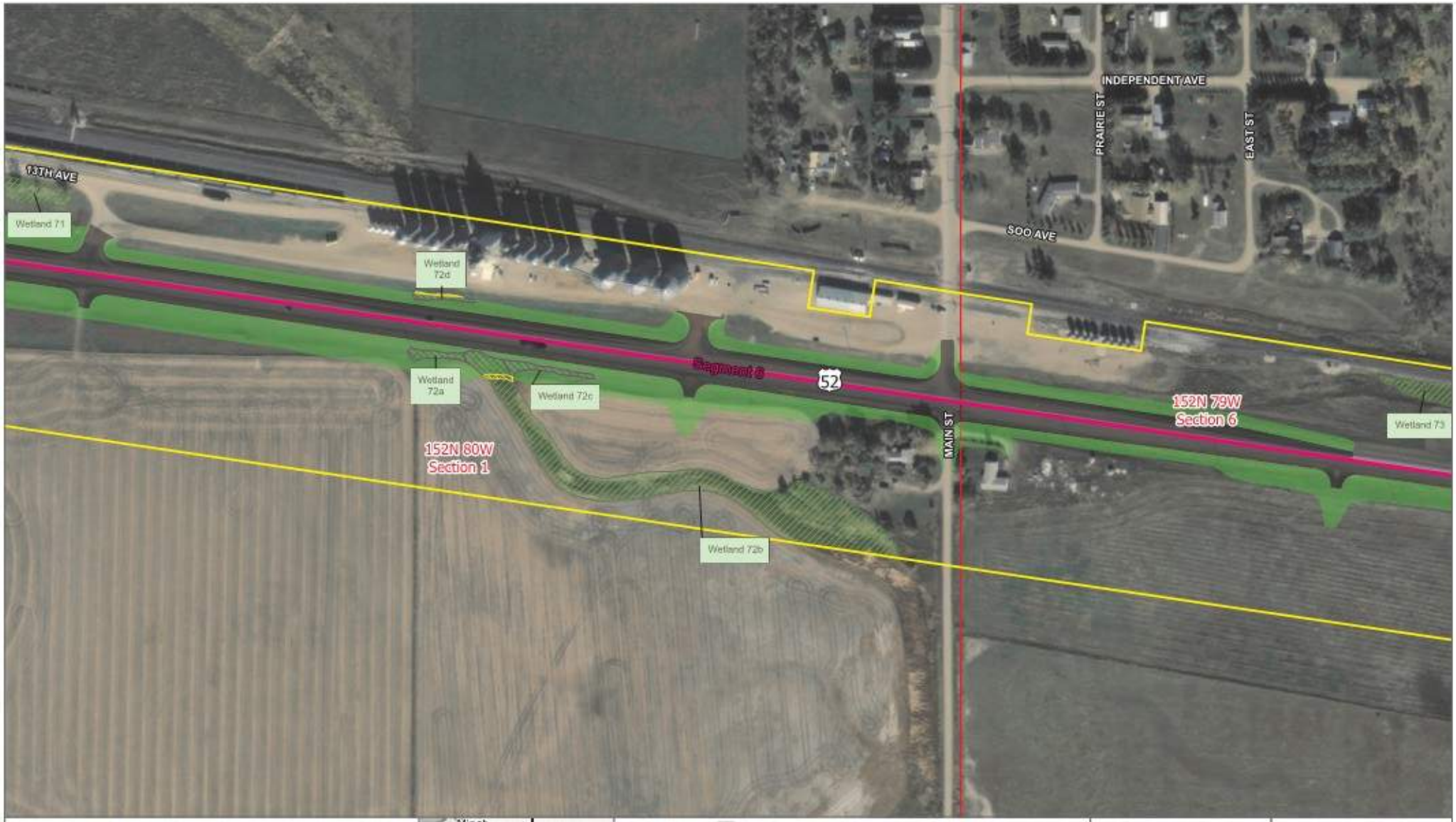
- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts- McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

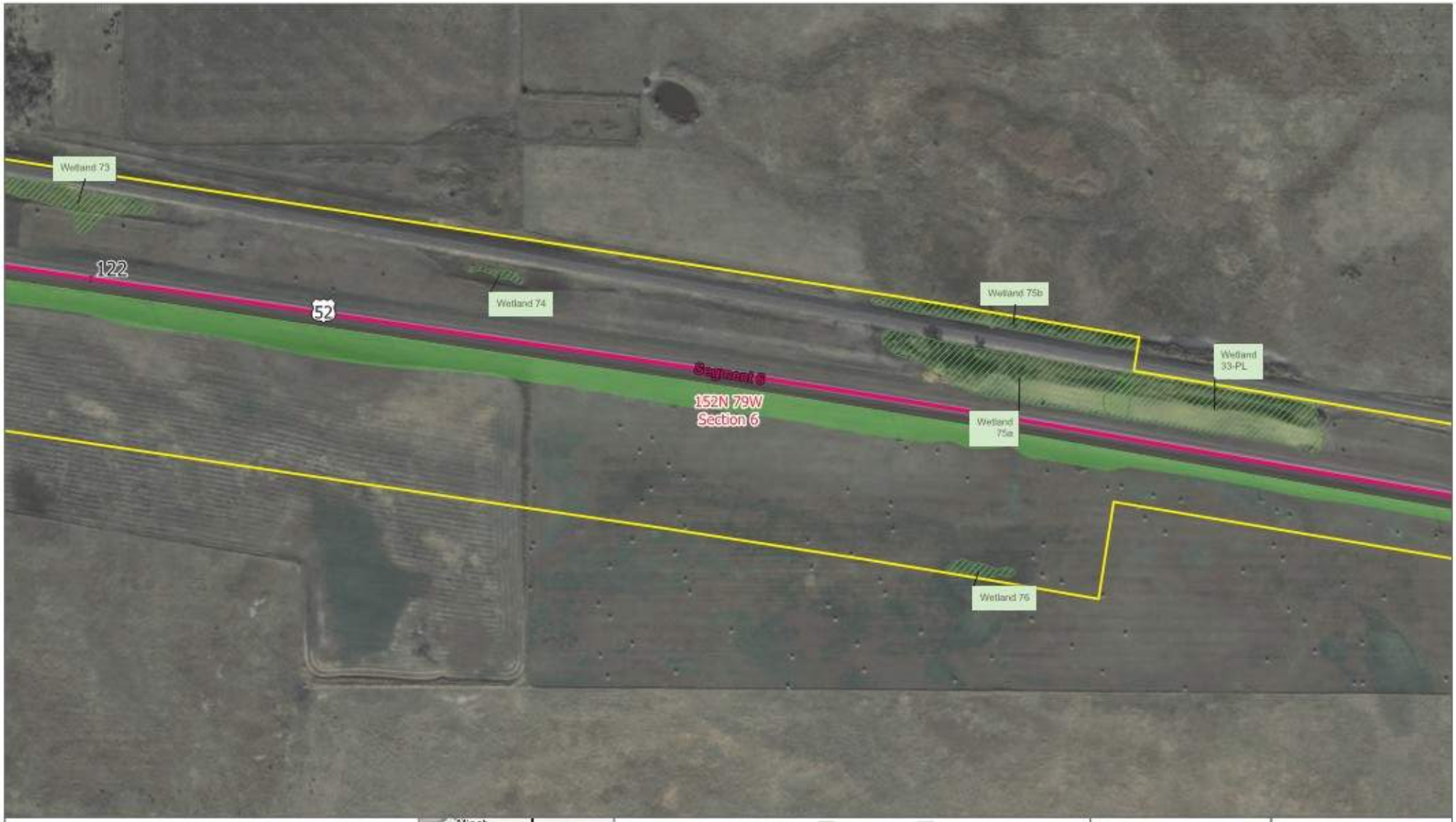
- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

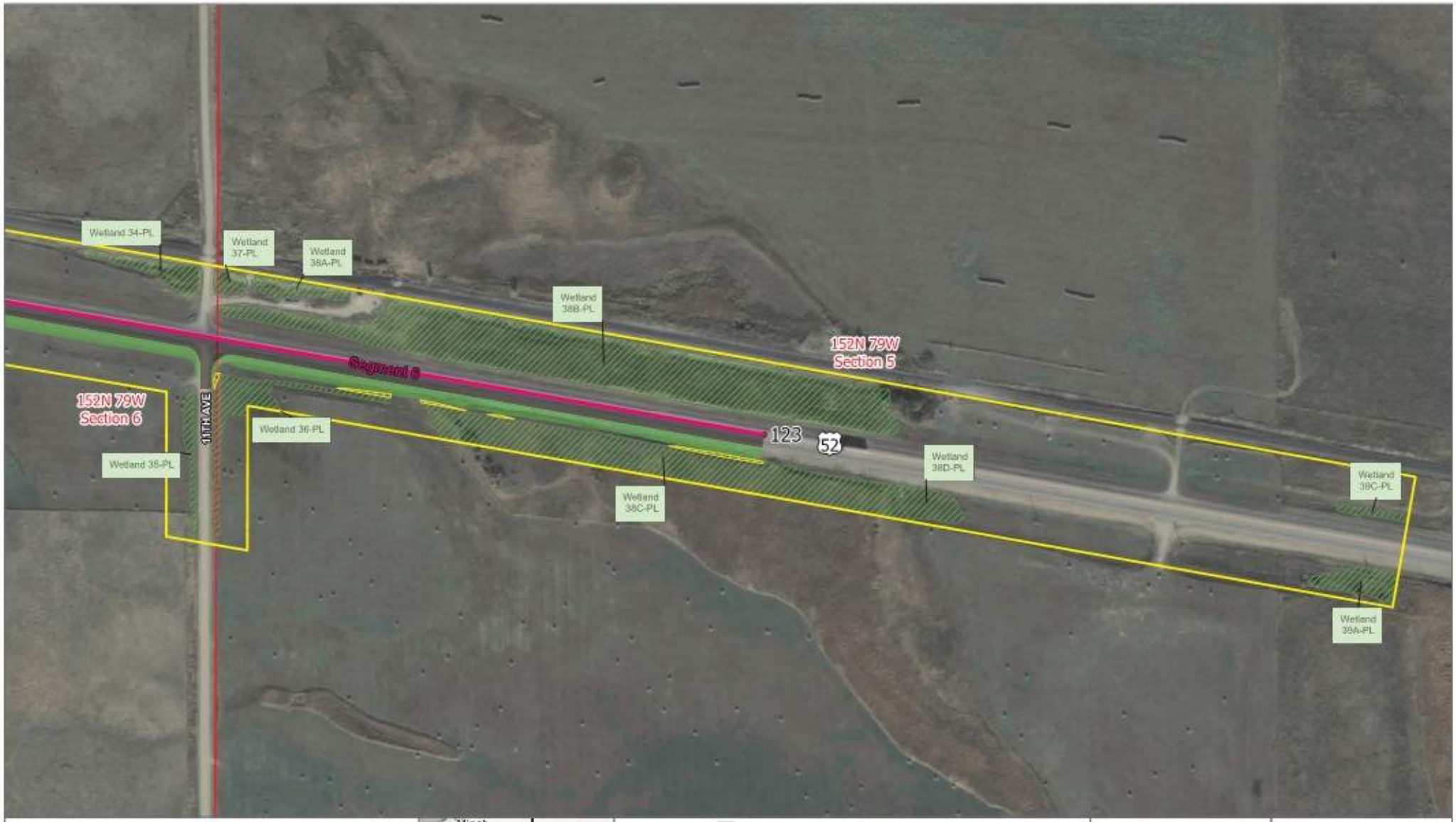
0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE B DEPRESSED MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Wetland
- Study Area
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2024 1:26 PM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
Alternative C1																	
1c	Sec 15 T-154-N R-82-W	Ditch	Natural	Y	0.001				N	N	N						
1d	Sec 15 T-154-N R-82-W	Ditch	Natural	Y	0.004	0.002			Y	N	N			Mitigation Bank TBD	0.002		
2	Sec 15 T-154-N R-82-W	Ditch	Created	N		0.020			N	N	N						
3	Sec 15 T-154-N R-82-W	Ditch	Created	N		0.014			N	N	N						
4	Sec 15 T-154-N R-82-W	Drainage	Natural	Y					N	N	N						
5a	Sec 15 T-154-N R-82-W	Drainage	Natural	Y	0.020	0.011			Y	N	N			Mitigation Bank TBD	0.011		
5c	Sec 15 T-154-N R-82-W	Drainage	Natural	Y	0.004	0.016			Y	N	N			Mitigation Bank TBD	0.016		
5d	Sec 14 T-154-N R-82-W	Drainage	Natural	Y	0.001	0.038			Y	N	N			Mitigation Bank TBD	0.038		
5f	Sec 14 T-154-N R-82-W	Drainage	Natural	Y		0.021			Y	N	N			Mitigation Bank TBD	0.021		
6	Sec 14 T-154-N R-82-W	Basin	Natural	N					N	N	N						
7a	Sec 14 T-154-N R-82-W	Basin	Natural	N					N	N	N						
7b	Sec 14 T-154-N R-82-W	Basin	Natural	N					N	N	N						
7c	Sec 14 T-154-N R-82-W	Ditch	Created	N					N	N	N						
8	Sec 24 T-154-N R-82-W	Drainage	Natural	N					N	N	N						
78	Sec 24 T-154-N R-82-W	Slope	Natural	N		0.019			Y	N	N			Mitigation Bank TBD	0.019		
9a	Sec 24 T-154-N R-82-W	Drainage	Natural	Y	0.094	0.252			Y	Y	N	Mitigation Bank TBD	0.252				
10a	Sec 24 T-154-N R-82-W	Drainage	Natural	N	0.077	0.078			Y	N	N			Mitigation Bank TBD	0.078		

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
10b	Sec 24 T-154-N R-82-W	Drainage	Natural	N	0.010	0.064			Y	N	N			Mitigation Bank TBD	0.064		
77	Sec 24 T-154-N R-82-W	Basin	Natural	N					N	N	N						
11c	Sec 30 T-154-N R-81-W	Riverine	Natural	Y	0.014	0.018			Y	N	N			Mitigation Bank TBD	0.018		
11d	Sec 30 T-154-N R-81-W	Riverine	Natural	Y	0.078	0.024			Y	N	N			Mitigation Bank TBD	0.024		
11e	Sec 30 T-154-N R-81-W	Riverine	Natural	Y					N	N	N						
13	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.038			Y	N	N			Mitigation Bank TBD	0.038		
14	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
15	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.019			Y	N	N			Mitigation Bank TBD	0.019		
16	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
17	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
18	Sec 5 T-153-N R-81-W	Slope	Natural	N		0.039			Y	N	N			Mitigation Bank TBD	0.039		
19	Sec 5 T-153-N R-81-W	Slope	Natural	N					N	N	N						
20b	Sec 5 T-153-N R-81-W	Basin	Natural	Y					N	N	N						
20c	Sec 5 T-153-N R-81-W	Fringe	Created	Y					N	N	N						
20e	Sec 5 T-153-N R-81-W	Ditch	Created	Y		0.015			N	N	N						
21	Sec 5 T-153-N R-81-W	Basin	Natural	N					N	N	N						
22	Sec 5 T-153-N R-81-W	Basin	Natural	N	0.135				N	N	N						
23c	Sec 4 T-153-N R-81-W	Drainage	Natural	Y		0.011			Y	N	N			Mitigation Bank TBD	0.011		

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
Alternative C2																	
25a	Sec 9 T-153-N R-81-W	Drainage	Natural	Y	0.133	0.200			Y	Y	N	Mitigation Bank TBD	0.2				
25b	Sec 9 T-153-N R-81-W	Ditch	Created	Y		0.015			N	Y	N	Mitigation Bank TBD	0.015				
25c	Sec 9 T-153-N R-81-W	Drainage	Natural	Y					N	N	N						
26	Sec 10 T-153-N R-81-W	Ditch	Created	N		0.332			N	N	N						
27	Sec 10 T-153-N R-81-W	Ditch	Created	N	0.012				N	N	N						
28a	Sec 10 T-153-N R-81-W	Drainage	Natural	Y	0.034	0.101			Y	Y	N	Mitigation Bank TBD	0.101				
29	Sec 11 T-153-N R-81-W	Drainage	Natural	N		0.021			Y	N	N			Mitigation Bank TBD	0.021		
30	Sec 11 T-153-N R-81-W	Basin	Natural	N					N	N	N						
31a	Sec 12 T-153-N R-81-W	Riverine	Natural	Y					N	N	N						
31c	Sec 12 T-153-N R-81-W	Riverine	Natural	Y					N	N	N						
31d	Sec 12 T-153-N R-81-W	Riverine	Natural	Y	0.008	0.009			Y	N	N			Mitigation Bank TBD	0.009		
31f	Sec 12 T-153-N R-81-W	Riverine	Natural	Y	0.021	0.024			Y	N	N			Mitigation Bank TBD	0.024		
32	Sec 12 T-153-N R-81-W	Ditch	Created	N					N	N	N						
79a	Sec 13 T-153-N R-81-W	Basin	Created	N					N	N	N						
80	Sec 13 T-153-N R-81-W	Slope	Natural	N					N	N	N						
Alternative C3																	
34d	Sec 13 T-153-N R-80-W	Drainage	Natural	N					N	N	N						
35a	Sec 18 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
35b	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
36	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
37	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
38	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
39a	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
39b	Sec 18 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
40	Sec 17 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
41	Sec 17 T-153-N R-80-W	Ditch	Created	N	0.003	0.002			N	N	N						
42a	Sec 17 T-153-N R-80-W	Basin	Natural	N	0.079	0.469			Y	N	N			Mitigation Bank TBD	0.469		
42b	Sec 17 T-153-N R-80-W	Ditch	Created	N		1.503			N	N	N						
42c	Sec 17 T-153-N R-80-W	Basin	Natural	N	0.053	0.211			Y	N	N			Mitigation Bank TBD	0.211		
43a	Sec 17 T-153-N R-80-W	Ditch	Created	Y	0.229	0.170			N	Y	N	Mitigation Bank TBD	0.17				
43b	Sec 17 T-153-N R-80-W	Ditch	Created	Y	0.025	0.045			N	Y	N	Mitigation Bank TBD	0.045				
43c	Sec 17 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
44	Sec 17 T-153-N R-80-W	Basin	Natural	N					N	N	N						
45	Sec 17 T-153-N R-80-W	Basin	Natural	N	0.049	0.088			Y	N	N			Mitigation Bank TBD	0.088		
46	Sec 17 T-153-N R-80-W	Basin	Natural	N					N	N	N						
47a	Sec 20 T-153-N R-80-W	Ditch	Created	Y	0.006				N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
47b	Sec 21 T-153-N R-80-W	Ditch	Created	Y	0.204	0.153			N	Y	N	Mitigation Bank TBD	0.153				
47c	Sec 21 T-153-N R-80-W	Ditch	Created	Y	0.004	0.568			N	Y	N	Mitigation Bank TBD	0.568				
47d	Sec 21 T-153-N R-80-W	Ditch	Created	Y	0.008	0.075			N	Y	N	Mitigation Bank TBD	0.075				
47e	Sec 21 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
47f	Sec 21 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
48	Sec 21 T-153-N R-80-W	Ditch	Created	N					N	N	N						
49a	Sec 21 T-153-N R-80-W	Riverine	Natural	Y					N	N	N						
49c	Sec 21 T-153-N R-80-W	Riverine	Natural	Y					N	N	N						
50	Sec 21 T-153-N R-80-W	Ditch	Created	N					N	N	N						
51a	Sec 21 T-153-N R-80-W	Drainage	Natural	Y	0.007	0.042			Y	Y	N	Mitigation Bank TBD	0.042				
51c	Sec 21 T-153-N R-80-W	Drainage	Natural	Y	0.009	0.079			Y	Y	N	Mitigation Bank TBD	0.079				
51d	Sec 21 &22 T-153-N R-80-W	Drainage	Natural	Y	0.008	0.042			Y	Y	N	Mitigation Bank TBD	0.042				
51f	Sec 21 & 22 T-153-N R-80-W	Drainage	Natural	Y	0.009	0.155			Y	Y	N	Mitigation Bank TBD	0.155				
52	Sec 22 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
53	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
54	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
Alternative C4 with Option V-1																	
55	Sec 22 T-153-N R-80-W	Ditch	Created	N	0.001	0.001			N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
56a	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56b	Sec 22 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
56c	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56d	Sec 22 T-153-N R-80-W	Ditch	Created	Y	0.116	0.293			N	Y	N	Mitigation Bank TBD	0.293				
56e	Sec 22 T-153-N R-80-W	Ditch	Created	Y		0.030			N	Y	N	Mitigation Bank TBD	0.030				
57	Sec 22 T-153-N R-80-W	Ditch	Created	N	0.006	0.006			N	N	N						
58	Sec 22 T-153-N R-80-W	Ditch	Created	N	0.008	0.007			N	N	N						
59b	Sec 23 T-153-N R-80-W	Ditch	Created	Y	0.049	0.131			N	Y	N	Mitigation Bank TBD	0.131				
59c	Sec 23 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
59d	Sec 23 T-153-N R-80-W	Basin	Natural	Y	0.033	0.084			Y	Y	N	Mitigation Bank TBD	0.084				
60	Sec 23 T-153-N R-80-W	Ditch	Created	N	0.020	0.468			N	N	N						
61a	Sec 26 T-153-N R-80-W	Slope	Natural	Y	0.011				N	N	N						
Alternative C5																	
61b	Sec 26 T-153-N R-80-W	Slope	Natural	Y					N	N	N						
61c	Sec 26 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
61d	Sec 26 T-153-N R-80-W	Drainage	Natural	Y	0.067	0.231			Y	Y	N	Mitigation Bank TBD	0.231				
61e	Sec 25 T-153-N R-80-W	Slope	Natural	Y					N	N	N						
61f	Sec 25 T-153-N R-80-W	Slope	Natural	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
61g	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.178	0.286			Y	Y	N	Mitigation Bank TBD	0.286				
61i	Sec 36 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
61k	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.016	0.005			Y	Y	N	Mitigation Bank TBD	0.005				
61l	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.151	0.375			Y	Y	N	Mitigation Bank TBD	0.375				
61m	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.010	0.027			Y	Y	N	Mitigation Bank TBD	0.027				
61o	Sec 36 T-153-N R-80-W	Drainage	Natural	Y	0.019	0.054			Y	Y	N	Mitigation Bank TBD	0.054				
61q	Sec 36 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
61r	Sec 31 T-153-N R-79-W	Drainage	Natural	Y					N	N	N						
61t	Sec 31 T-153-N R-79-W	Drainage	Natural	Y	0.008	0.049			Y	Y	N	Mitigation Bank TBD	0.049				
61u	Sec 31 T-153-N R-79-W	Drainage	Natural	Y	0.003	0.057			Y	Y	N	Mitigation Bank TBD	0.057				
61w	Sec 31 T-153-N R-79-W	Drainage	Natural	Y	0.009				N	N	N						
61x	Sec 2 T-152-N R-80-W	Drainage	Natural	Y	0.186	0.315			Y	Y	N	Mitigation Bank TBD	0.315				
62	Sec 26 T-153-N R-80-W	Slope	Natural	N					N	N	N						
63a	Sec 26 T-153-N R-80-W	Drainage	Natural	Y	0.039	0.099			Y	Y	N	Mitigation Bank TBD	0.099				
63b	Sec 26 T-153-N R-80-W	Slope	Natural	Y	0.033	0.092			Y	Y	N	Mitigation Bank TBD	0.092				
64	Sec 36 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
65	Sec 31 T-153-N R-79-W	Ditch	Created	N	0.008	0.031			N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
66	Sec 31 T-153-N R-79-W	Ditch	Created	N		0.028			N	N	N						
67	Sec 31 T-153-N R-79-W	Ditch	Created	N	0.009	0.017			N	N	N						
Alternative C6																	
61y	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.099	0.451	0.020	0.373	Y	Y	N	Mitigation Bank TBD	0.451			Mitigation Bank TBD	0.373
61z	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.029	0.169	0.029	0.110	Y	Y	N	Mitigation Bank TBD	0.169			Mitigation Bank TBD	0.110
61aa	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.137	0.748	0.069	0.407	Y	Y	N	Mitigation Bank TBD	0.748			Mitigation Bank TBD	0.407
68a	Sec 2 T-152-N R-80-W	Basin	Natural	Y					N	N	N						
68b	Sec 1 T-152-N R-80-W	Basin	Natural	Y	0.004	0.003	0.019	0.004	Y	N	N			Mitigation Bank TBD	0.003	Mitigation Bank TBD	0.004
69	Sec 1 T-152-N R-80-W	Basin	Natural	Y					N	N	N						
70	Sec 1 T-152-N R-80-W	Basin	Natural	Y					N	N	N						
71	Sec 1 T-152-N R-80-W	Ditch	Created	N					N	N	N						
72a	Sec 1 T-152-N R-80-W	Ditch	Created	Y		0.058			N	Y	N	Mitigation Bank TBD	0.058				
72b	Sec 1 T-152-N R-80-W	Drainage	Natural	Y	0.016	0.098			Y	Y	N	Mitigation Bank TBD	0.098				
72c	Sec 1 T-152-N R-80-W	Ditch	Created	Y		0.077			N	Y	N	Mitigation Bank TBD	0.077				
72d	Sec 1 T-152-N R-80-W	Ditch	Created	Y	0.007	0.037			N	Y	N	Mitigation Bank TBD	0.037				
73	Sec 6 T-152-N R-79-W	Ditch	Created	N					N	N	N						
74	Sec 6 T-152-N R-79-W	Ditch	Created	N					N	N	N						
75a	Sec 6 T-152-N R-79-W	Ditch	Created	Y					N	N	N						

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
75b	Sec 6 T-152-N R-79-W	Ditch	Created	Y					N	N	N						
76	Sec 6 T-152-N R-79-W	Basin	Natural	Y					N	N	N						
34-PL	Sec. 6, T152N, R79W	Basin	Natural	Y					N	N	N						
35-PL	Sec. 6, T152N, R79W	Basin	Natural	N					N	N	N						
36-PL	Sec. 5 & 6, T152N, R79W	Basin	Natural	N	0.024				N	N	N						
37-PL	Sec. 5 & 6, T152N, R79W	Basin	Natural	Y					N	N	N						
38a-PL	Sec. 5, T152N, R79W	Basin	Natural	Y					N	N	N						
38b-PL	Sec. 5, T152N, R79W	Basin	Natural	Y					N	N	N						
38c-PL	Sec. 5, T152N, R79W	Basin	Natural	Y	0.044				N	N	N						
38d-PL	Sec. 5, T152N, R79W	Ditch	Created	Y					N	N	N						
				Totals	**2.679**	**9.330**	**0.137**	**0.894**					**5.663**		**1.223**		**0.894**

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters				Other Water Mitigation								
					Acres				Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
Alternative C1																	
OW-1a	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.002	0.010	0.005	0.005	Y	Y	N	Mitigation Bank TBD; 2:1	0.01				
OW-1b	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.002	0.099	0.099		Y	Y	N	Mitigation Bank TBD; 2:1	0.198				
OW-5b	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.002	0.004	0.004		Y	Y	N	Mitigation Bank TBD; 2:1	0.008				
OW-5e	Sec 15 T-154-N R-82-W	Stream	Natural	Y	0.001	0.013	0.013		Y	Y	N	Mitigation Bank TBD; 2:1	0.026				
OW-9b	Sec 24 T-154-N R-82-W	Stream	Natural	Y	0.009	0.040	0.040		Y	Y	N	Mitigation Bank TBD; 2:1	0.08				
OW-11a	Sec 30 T-154-N R-81-W	Stream	Natural	Y	0.021	0.106	0.088	0.018	Y	Y	N	Mitigation Bank TBD; 2:1	0.176				
OW-11b	Sec 30 T-154-N R-81-W	Stream	Natural	Y	0.032	0.124	0.106	0.018	Y	Y	N	Mitigation Bank TBD; 2:1	0.212				
OW-12a	Sec 31 T-154-N R-81-W	Stream	Natural	Y	0.005	0.010	0.010		Y	Y	N	Mitigation Bank TBD; 2:1	0.02				
OW-12b	Sec 31 T-154-N R-81-W	Stream	Natural	Y	0.003	0.020	0.015	0.005	Y	Y	N	Mitigation Bank TBD; 2:1	0.03				
OW-20a	Sec 5 T-153-N R-81-W	Stream	Natural	Y	0.153	0.295	0.081	0.214	Y	Y	N	Mitigation Onsite	0.514				
OW-20d	Sec 5 T-153-N R-81-W	Stream	Natural	Y	0.028	0.109	0.092	0.017	Y	Y	N	Mitigation Bank TBD; 2:1	0.184				
OW-23a	Sec 4 T-153-N R-81-W	Stream	Natural	Y	0.005	0.051	0.033	0.018	Y	Y	N	Mitigation Bank TBD; 2:1	0.066				
OW-23b	Sec 4 T-153-N R-81-W	Stream	Natural	Y	0.006	0.037	0.037		Y	Y	N	Mitigation Bank TBD; 2:1	0.074				
OW-24a	Sec 9 T-153-N R-81-W	Stream	Natural	Y	0.039	0.078	0.078		Y	Y	N	Mitigation Bank TBD; 2:1	0.156				
OW-24b	Sec 9 T-153-N R-81-W	Stream	Natural	Y	0.011	0.016	0.016		Y	Y	N	Mitigation Bank TBD; 2:1	0.032				
Alternative C2																	
OW-28b	Sec 10 T-153-N R-81-W	Stream	Natural	Y	0.005	0.054	0.054		Y	Y	N	Mitigation Bank TBD; 2:1	0.108				

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters (Acres)				Other Water Mitigation								
									Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
OW-31b	Sec 12 T-153-N R-81-W	Stream	Natural	Y					N	N	N						
OW-31e	Sec 12 T-153-N R-81-W	Stream	Natural	N	0.002	0.011	0.006	0.005	N	N	N						
OW-33a	Sec 13 T-153-N R-81-W	Stream	Natural	N					N	N	N						
OW-33b	Sec 13 T-153-N R-81-W	Stream	Natural	N					N	N	N						
OW-79b	Sec 13 T-153-N R-81-W	Pond	Natural	N					N	N	N						
Alternative C3																	
OW-34a	Sec 18 T-153-N R-80-W	Stream	Natural	N					N	N	N						
OW-34b	Sec 18 T-153-N R-80-W	Stream	Natural	N	0.001	0.003	0.003		N	N	N						
OW-34c	Sec 18 T-153-N R-80-W	Stream	Natural	N	0.000	0.012	0.012		N	N	N						
OW-49b	Sec 21 T-153-N R-80-W	Stream	Natural	Y					N	N	N						
OW-49d	Sec 21 T-153-N R-80-W	Stream	Natural	Y	0.035	0.133	0.133		Y	Y	N	Mitigation Bank TBD; 2:1	0.266				
OW-51b	Sec 21 T-153-N R-80-W	Stream	Natural	Y	0.004	0.020	0.020		Y	Y	N	Mitigation Bank TBD; 2:1	0.04				
OW-51e	Sec 21 & 22 T-153-N R-80-W	Stream	Natural	Y	0.006	0.068	0.068		Y	Y	N	Mitigation Bank TBD; 2:1	0.136				
Alternative C4 with Option V-1																	
OW-59a	Sec 23 T-153-N R-80-W	Stream	Natural	Y	0.003	0.006	0.006		N	N	N						
Alternative C5																	
OW-61h	Sec 36 T-153-N R-80-W	Stream	Natural	Y					N	N	N						
OW-61j	Sec 36 T-153-N R-80-W	Stream	Created	Y	0.035	0.020	0.020		N	Y	N	Mitigation Bank TBD; 2:1	0.04				
OW-61n	Sec 36 T-153-N R-80-W & Sec 31 T-153-N R-79-W	Stream	Natural	Y	0.004	0.019	0.019		Y	Y	N	Mitigation Bank TBD; 2:1	0.038				

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters (Acres)				Other Water Mitigation								
									Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
OW-61p	Sec 31 T-153-N R-79-W	Stream	Natural	Y					N	N	N						
OW-61s	Sec 31 T-153-N R-79-W	Stream	Natural	Y	0.005	0.005	0.005		Y	Y	N	Mitigation Bank TBD; 2:1	0.01				
OW-61v	Sec 31 T-153-N R-79-W	Stream	Natural	Y	0.007	0.028	0.028		Y	Y	N	Mitigation Bank TBD; 2:1	0.056				
				Totals	**0.426**	**1.391**	**1.091**						**2.480**		**0.000**		**0.000**

[1] A wetland Jurisdictional Determination was issued by the USACE on 9/5/25: NWO-2022-00132-BIS

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	**Total (Acres)**	**Wetland Type**	**Total (Acres/Lf)**
Natural/JD (Fill/Drain)	4.188	**Temporary JD**	2.185
Natural/Non-JD (Fill/Drain)	1.046	**Non-JD Temporary**	0.494
Artificial/JD (Fill/Drain)	1.667		
Artificial /Non-JD (Fill/Drain))	2.429	**Permanent OW**	1.391
Total	**9.330**	**Temporary OW**	0.426

Mitigation Summary Table

	Location	Ditch Shift Acre(s)	Onsite Acre(s)	Offsite Acre(s)	11990 Bank Acre(s)	USACE/11990 Bank Acre(s)	USFWS Bank Acre(s)
USACE Only	Mitigation Bank TBD					1.692	
EO 11990 Only	Mitigation Bank TBD				1.223		
USACE/11990	Mitigation Bank TBD					6.451	
USFWS	Mitigation Bank TBD						0.894
	Total	**0.000**	**0.000**	**0.000**	**1.223**	**8.143**	**0.894**

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
Option V-1 without Alternative C4																	
55	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
56a	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56b	Sec 22 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
56c	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56d	Sec 22 T-153-N R-80-W	Ditch	Created	Y	0.116	0.293			N	Y	N	Mitigation Bank TBD	0.293				
56e	Sec 22 T-153-N R-80-W	Ditch	Created	Y		0.030			N	Y	N	Mitigation Bank TBD	0.030				
57	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
58	Sec 22 T-153-N R-80-W	Ditch	Created	N					N	N	N						
59b	Sec 23 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
59c	Sec 23 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
59d	Sec 23 T-153-N R-80-W	Basin	Natural	Y					N	N	N						
60	Sec 23 T-153-N R-80-W	Ditch	Created	N					N	N	N						
				Totals	**0.116**	**0.323**	**0.000**	**0.000**					**0.323**		**0.000**		**0.000**

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters – Acres				Other Water Mitigation – Mitigation Proposed			Other Water Mitigation – USACE Mitigation Bank		Other Water Mitigation – Onsite Mitigation Method		Other Water Mitigation – Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
Option V-1 without Alternative C4																	
OW-59a	Sec 23 T-153-N R-80-W	Stream	Natural	Y					N	N	N						
				Totals	**0.000**	**0.000**	**0.000**						**0.000**		**0.000**		**0.000**

[1] A wetland Jurisdictional Determination was issued by the USACE on 9/5/25: NWO-2022-00132-BIS

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	**Total (Acres)**	**Wetland Type**	**Total (Acres/Lf)**
Natural/JD (Fill/Drain)	0.000	**Temporary JD**	0.116
Natural/Non-JD (Fill/Drain)	0.000	**Non-JD Temporary**	0.000
Artificial/JD (Fill/Drain)	0.323		
Artificial /Non-JD (Fill/Drain))	0.000	**Permanent OW**	0.000
Total	**0.323**	**Temporary OW**	0.000

Mitigation Summary Table

	Location	Ditch Shift Acre(s)	Onsite Acre(s)	Offsite Acre(s)	11990 Bank Acre(s)	USACE/11990 Bank Acre(s)	USFWS Bank Acre(s)
USACE Only	Mitigation Bank TBD					0.323	
EO 11990 Only							
USACE/11990							
USFWS							
	Total	**0.000**	**0.000**	**0.000**	**0.000**	**0.323**	**0.000**

Wetland Impact Table

Wetland Number	Location	Wetland Type	Wetland Feature	USACE Jurisdictional Wetlands[1]	Wetland Impact				Wetland Mitigation								
					Wetland Impacts Acre(s)		USFWS Easement Impacts Acre(s)		Mitigation Proposed			USACE/11990 Bank		11990 Bank		USFWS Bank	
					Temp.	Perm.	Temp.	Perm.	EO 11990	USACE	USFWS	Location	Acre(s)	Location	Acre(s)	Location	Acre(s)
Alternative C4 without Option V-1																	
55	Sec 22 T-153-N R-80-W	Ditch	Created	N	0.001	0.001			N	N	N						
56a	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56b	Sec 22 T-153-N R-80-W	Drainage	Natural	Y					N	N	N						
56c	Sec 22 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
56d	Sec 22 T-153-N R-80-W	Ditch	Created	Y	0.072	0.048			N	N	N						
56e	Sec 22 T-153-N R-80-W	Ditch	Created	Y	0.009	0.021			N	N	N						
57	Sec 22 T-153-N R-80-W	Ditch	Created	N	0.006	0.006			N	N	N						
58	Sec 22 T-153-N R-80-W	Ditch	Created	N	0.008	0.007			N	N	N						
59b	Sec 23 T-153-N R-80-W	Ditch	Created	Y	0.049	0.131			N	Y	N	Mitigation Bank TBD	0.131				
59c	Sec 23 T-153-N R-80-W	Ditch	Created	Y					N	N	N						
59d	Sec 23 T-153-N R-80-W	Basin	Natural	Y	0.033	0.084			Y	Y	N	Mitigation Bank TBD	0.084				
60	Sec 23 T-153-N R-80-W	Ditch	Created	N	0.020	0.468			N	N	N						
61a	Sec 26 T-153-N R-80-W	Slope	Natural	Y	0.011				N	N	N						
				Totals	**0.209**	**0.766**	**0.000**	**0.000**					**0.215**		**0.000**		**0.000**

Other Waters and Streams Impact Table

Number	Location	Type	Feature	USACE Jurisdictional[1]	Impacts to Other Waters (Acres)				Other Water Mitigation								
									Mitigation Proposed			USACE Mitigation Bank		Onsite Mitigation Method		Onsite Constructed Location	
					Temp.	Perm. (total Loss + no Loss)	Perm. (Loss)	Perm. (No Loss)	EO 11990	USACE	USFWS	Location	Acre(s)	Mitigation Location; ratio	Acre(s)	Onsite Constructed Site #	Onsite Constructed Size Acre(s)
Alternative C4 without Option V-1																	
OW-59a	Sec 23 T-153-N R-80-W	Stream	Natural	Y	0.003	0.006	0.006		N	N	N						
				Totals	**0.003**	**0.006**	**0.006**						**0.000**		**0.000**		**0.000**

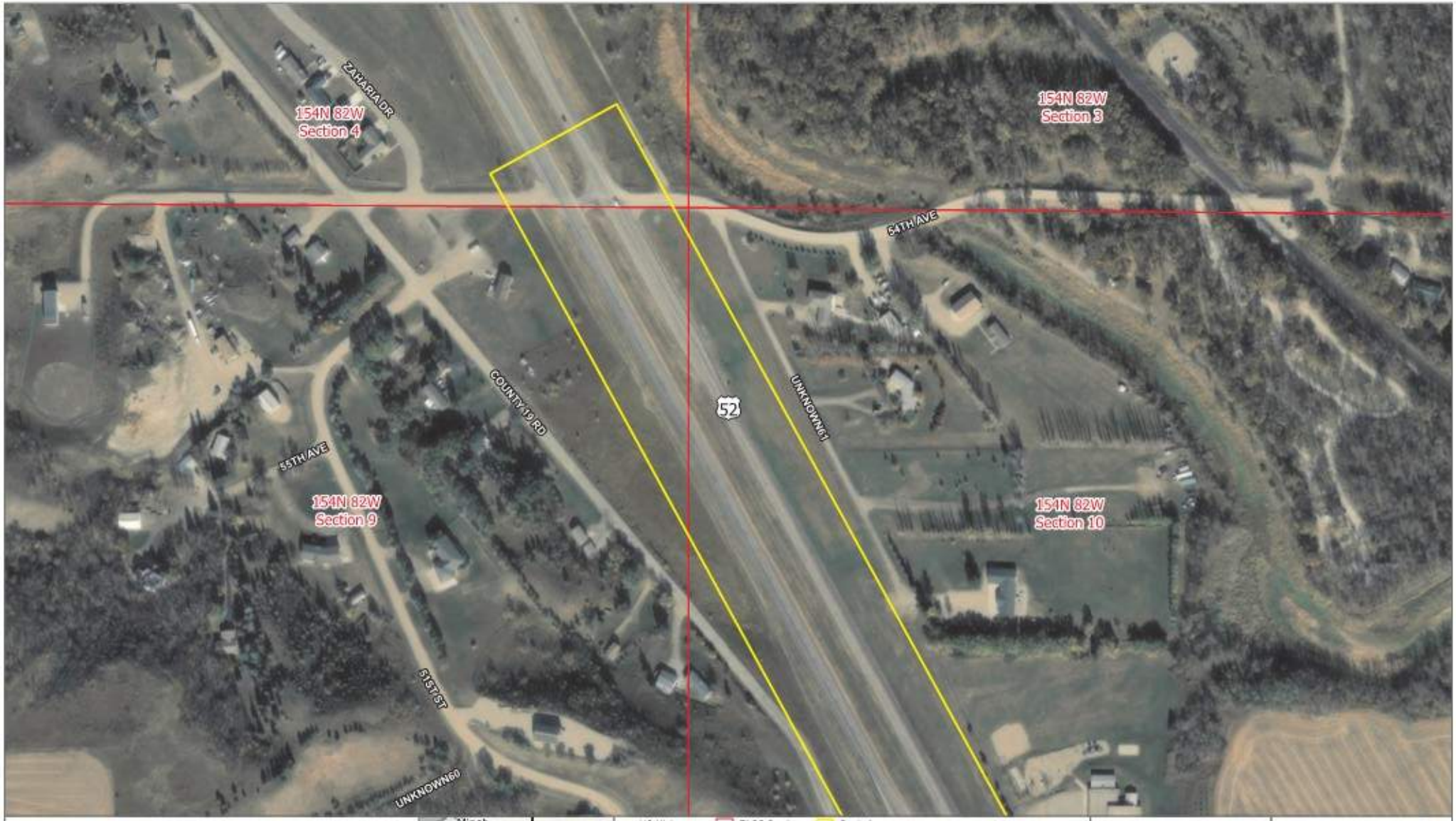
[1] A wetland Jurisdictional Determination was issued by the USACE on 9/5/25: NWO-2022-00132-BIS

Impact Summary Table

Permanent Impact Summary		Temporary Impacts and additional information	
Wetland Type	**Total (Acres)**	**Wetland Type**	**Total (Acres/Lf)**
Natural/JD (Fill/Drain)	0.084	**Temporary JD**	0.174
Natural/Non-JD (Fill/Drain)	0.000	**Non-JD Temporary**	0.035
Artificial/JD (Fill/Drain)	0.200		
Artificial /Non-JD (Fill/Drain))	0.482	**Permanent OW**	0.006
Total	**0.766**	**Temporary OW**	0.003

Mitigation Summary Table

	Location	Ditch Shift Acre(s)	Onsite Acre(s)	Offsite Acre(s)	11990 Bank Acre(s)	USACE/11990 Bank Acre(s)	USFWS Bank Acre(s)
USACE Only	Mitigation Bank TBD					0.131	
EO 11990 Only							
USACE/11990	Mitigation Bank TBD					0.084	
USFWS							
	Total	**0.000**	**0.000**	**0.000**	**0.000**	**0.215**	**0.000**



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway | PLSS Sections | Study Area

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Asphalt
Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward
Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward
Other Water Impact Temporary
Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward
Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

Minot
Sawyer
Ward
McHenry
Voltaire

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

US Highway
Segment 1
PLSS Sections
Study Area
Wetland
Asphalt
Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bisker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward
Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward
Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bisker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Asphalt
Grading Limit

Wetland Impacts-Ward
Other Water Impact Permanent
Other Water Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Brake
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 1
PLSS Sections
Study Area
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward
Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: 4-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bisker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

Minot
Sawyer
Ward
McHenry
Voltaire

- Mile Marker
- US Highway
- Segment 1
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

US Highway
Segment 1
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward

Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 1
- Segment 2
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

US Highway
Segment 2
PLSS Sections
Study Area
Asphalt
Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 2
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-Ward

- Wetland Impact Permanent

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 2
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-Ward

Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward & McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- Segment 3
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward & McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 2
- Segment 3
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
Ward & McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

PLSS Sections | Study Area | Other Water | Wetland

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 3
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

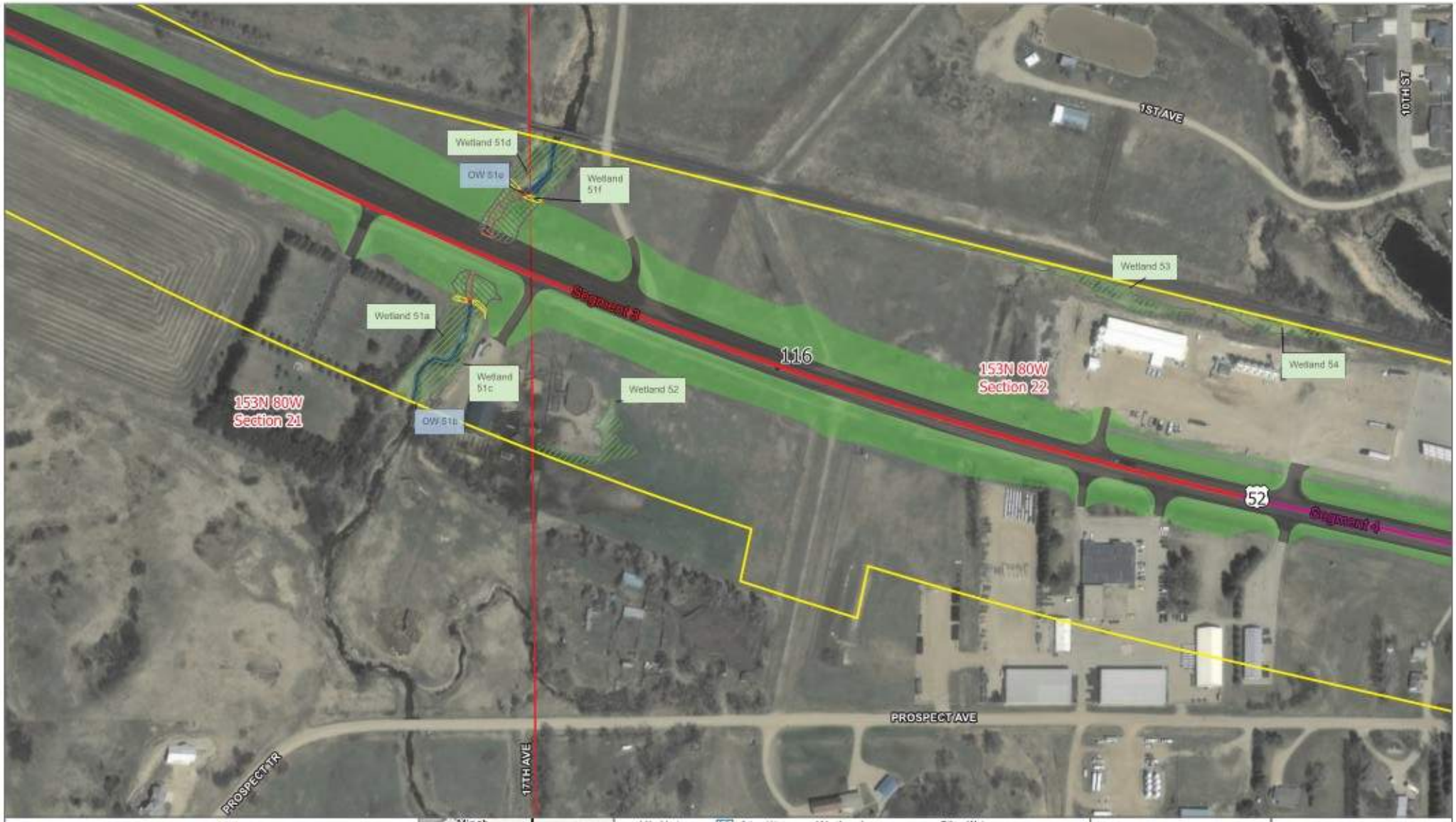
US Highway
Segment 3
PLSS Sections
Study Area
Other Water
Wetland
Asphalt
Grading Limit

Wetland Impacts-McHenry

Other Water Impact Permanent
Other Water Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bisker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 3
- Segment 4
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit
- Shared-Use Path

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

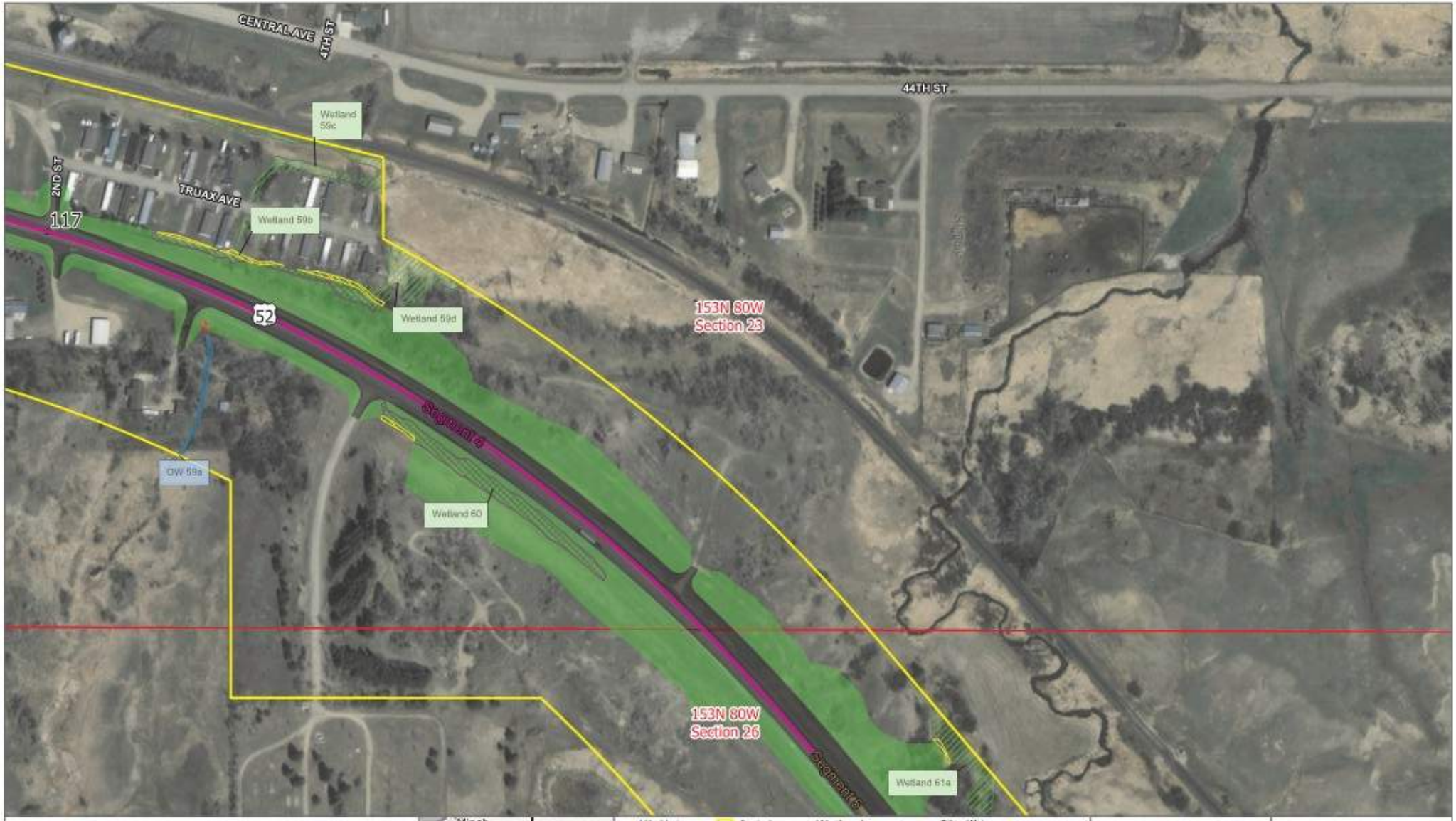
US Highway
Segment 4
PLSS Sections
Study Area

Wetland
Asphalt
Grading Limit
Shared-Use Path

Wetland Impacts-McHenry
Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

Minot
Sawyer
Ward
McHenry
Voltaire

- Mile Marker
- US Highway
- Segment 4
- Segment 5
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 4
Segment 5
PLSS Sections
Study Area
Wetland
Asphalt
Grading Limit

Wetland Impacts-McHenry

Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 5
PLSS Sections
Study Area
Wetland
Asphalt
Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bisker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

US Highway
Segment 5
PLSS Sections
Study Area
Other Water

Wetland
Asphalt
Grading Limit

Wetland Impacts-McHenry

Other Water Impact Permanent
Other Water Impact Temporary
Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,800

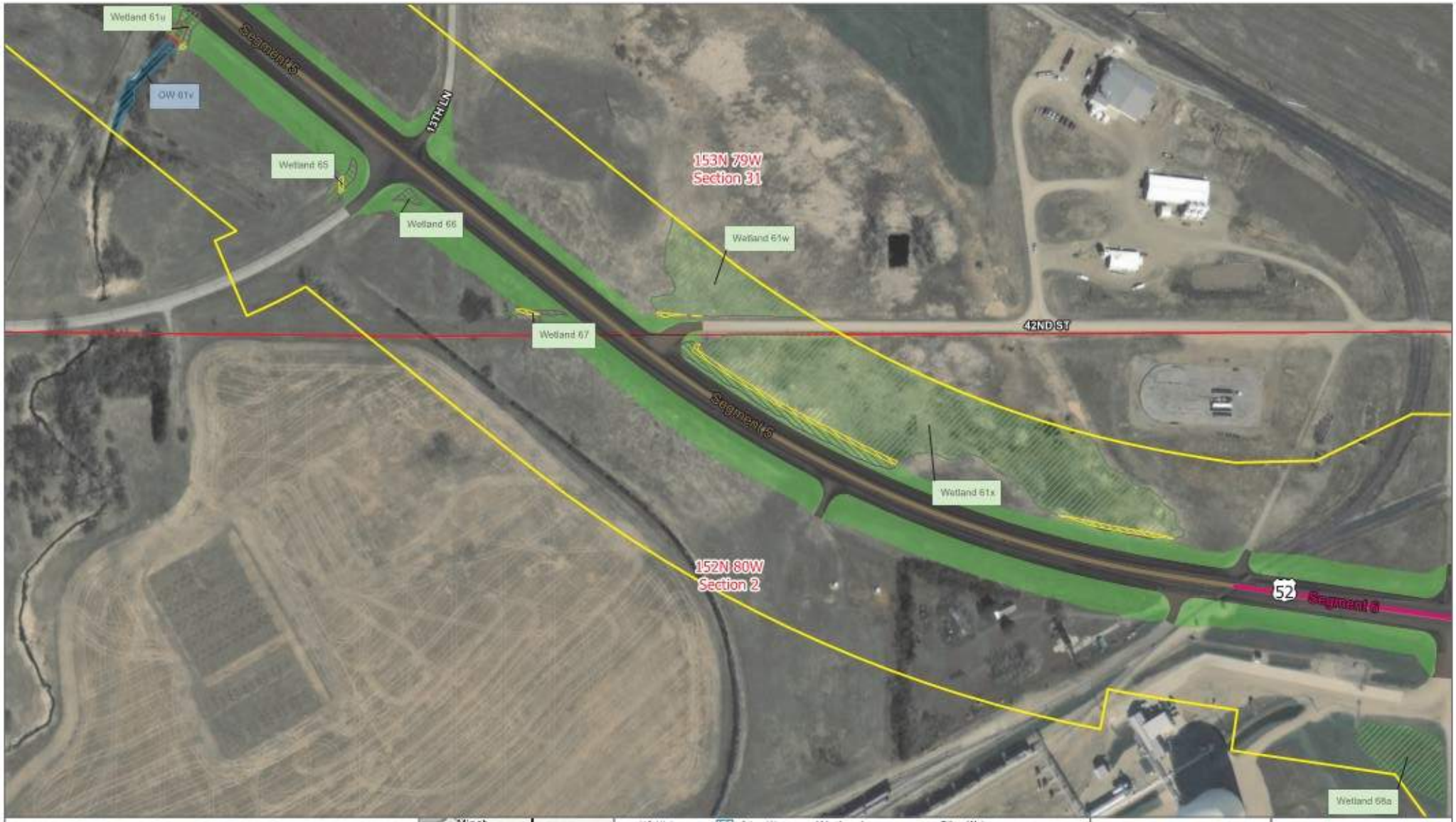
- Mile Marker
- US Highway
- Segment 5
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

- US Highway
- Segment 5
- Segment 6
- PLSS Sections
- Study Area
- Other Water
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Other Water Impact Permanent
- Other Water Impact Temporary
- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation

WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

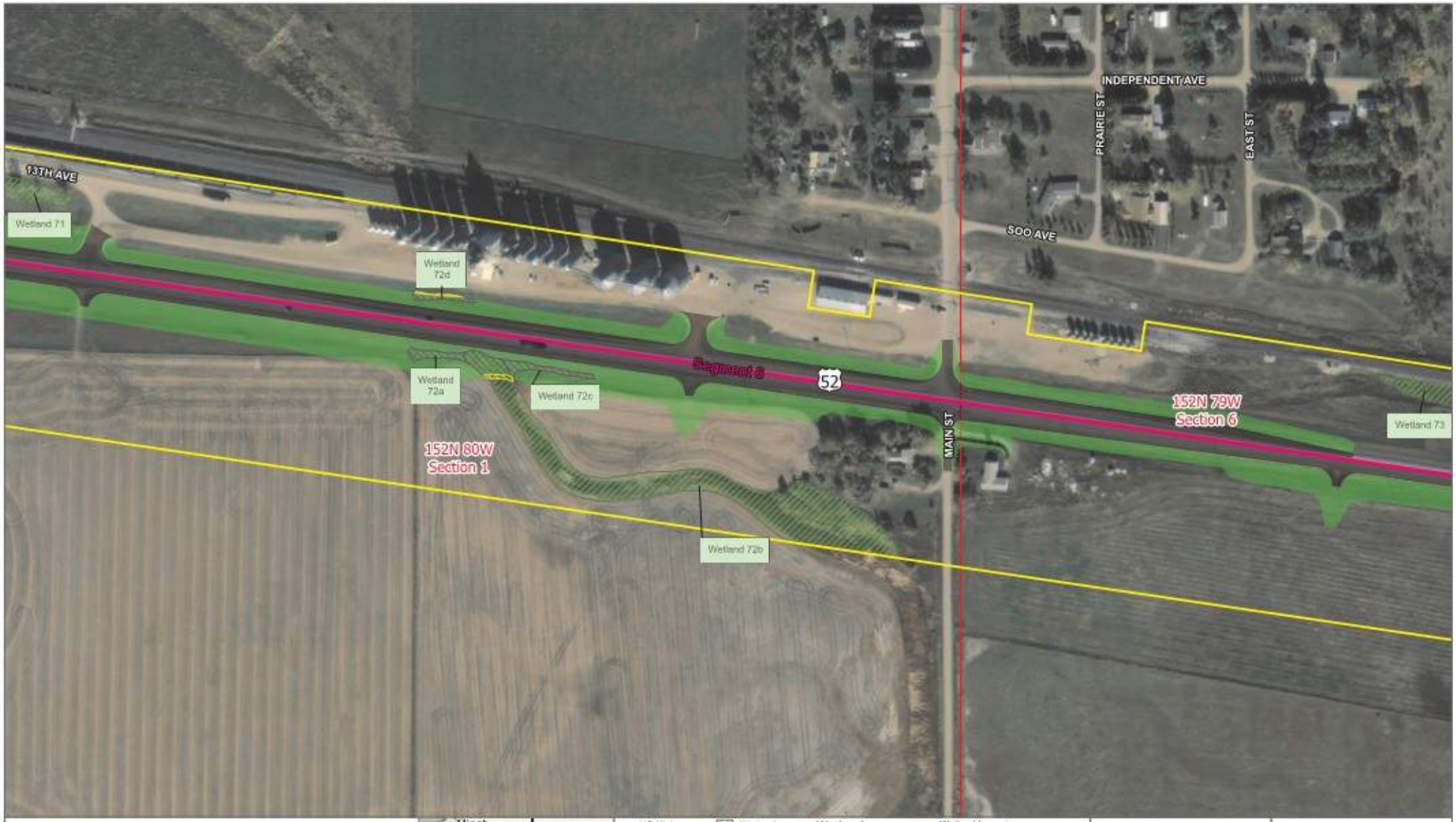
- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

Wetland Impacts-McHenry

- Wetland Impact Permanent
- Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,600

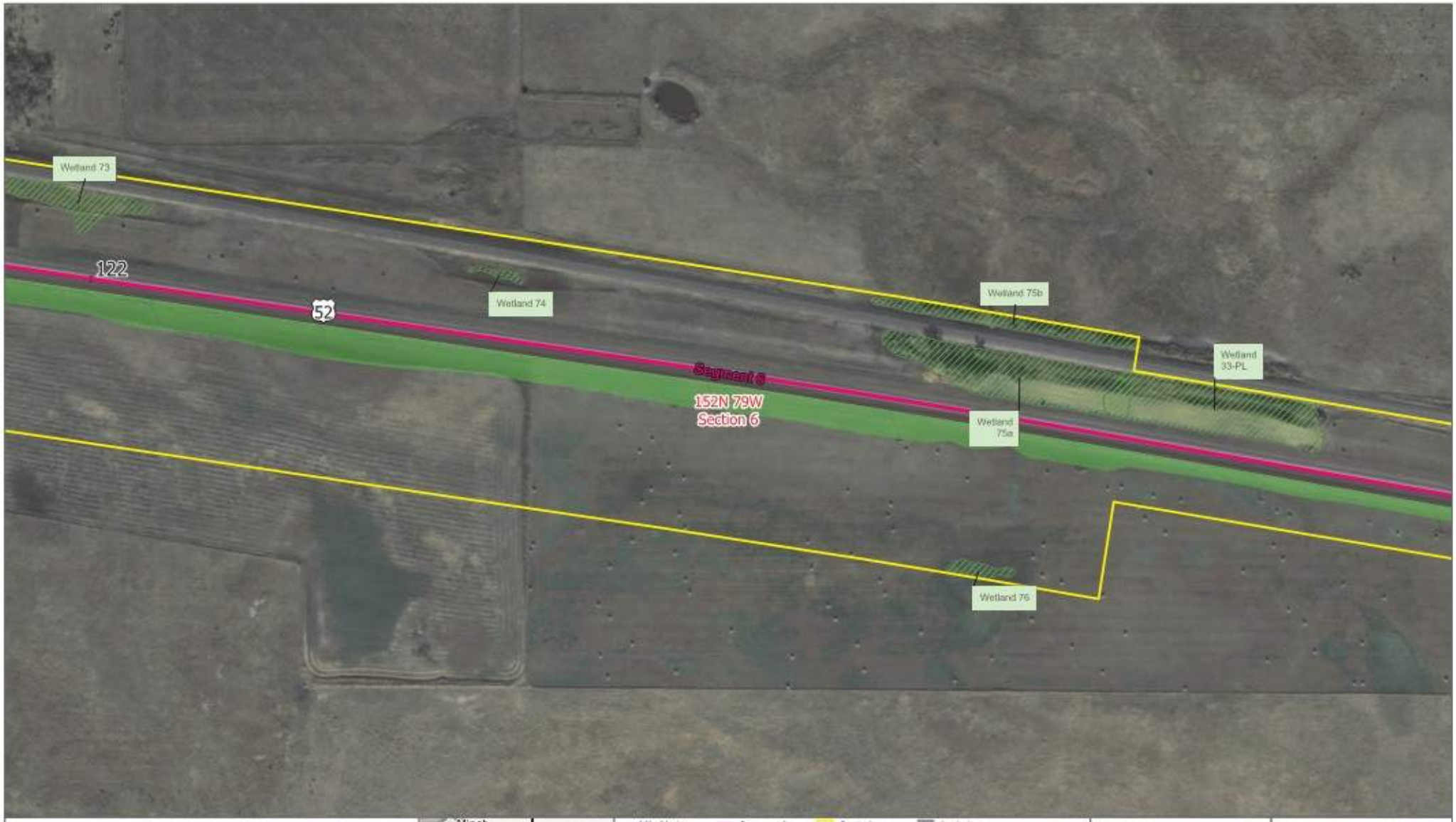
US Highway
Segment 6
PLSS Sections
Study Area
Wetland
Asphalt
Grading Limit

Wetland Impacts-McHenry

Wetland Impact Permanent
Wetland Impact Temporary

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Anderson
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

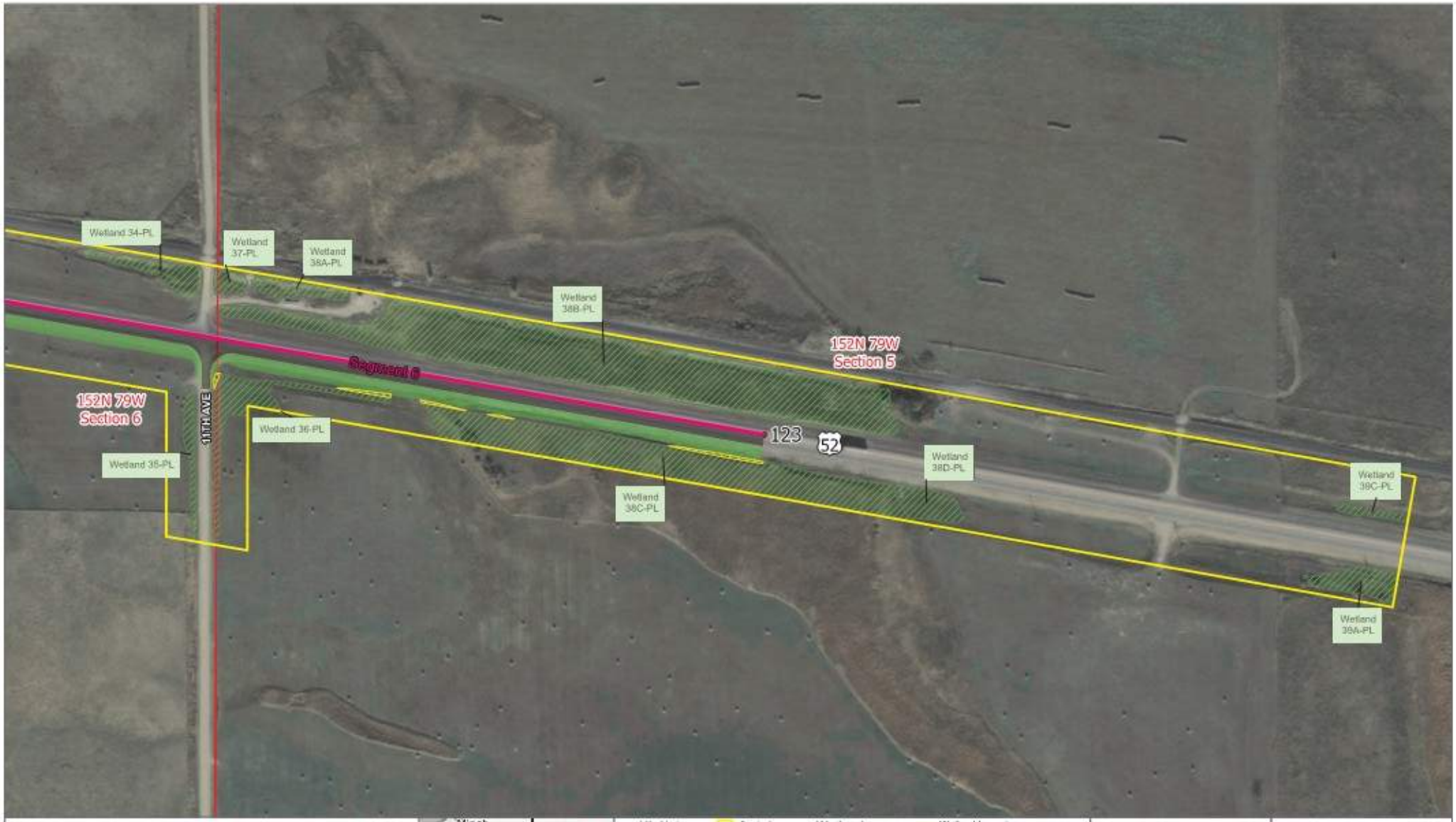
0 220 440 880 US Feet

1:3,800

- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Bruker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

North Dakota | Transportation



WETLAND IMPACTS: ALTERNATIVE C FLUSH MEDIAN
McHenry County, North Dakota

Ulteig

N

0 220 440 880 US Feet

1:3,900

- Mile Marker
- US Highway
- Segment 6
- PLSS Sections
- Study Area
- Wetland
- Asphalt
- Grading Limit

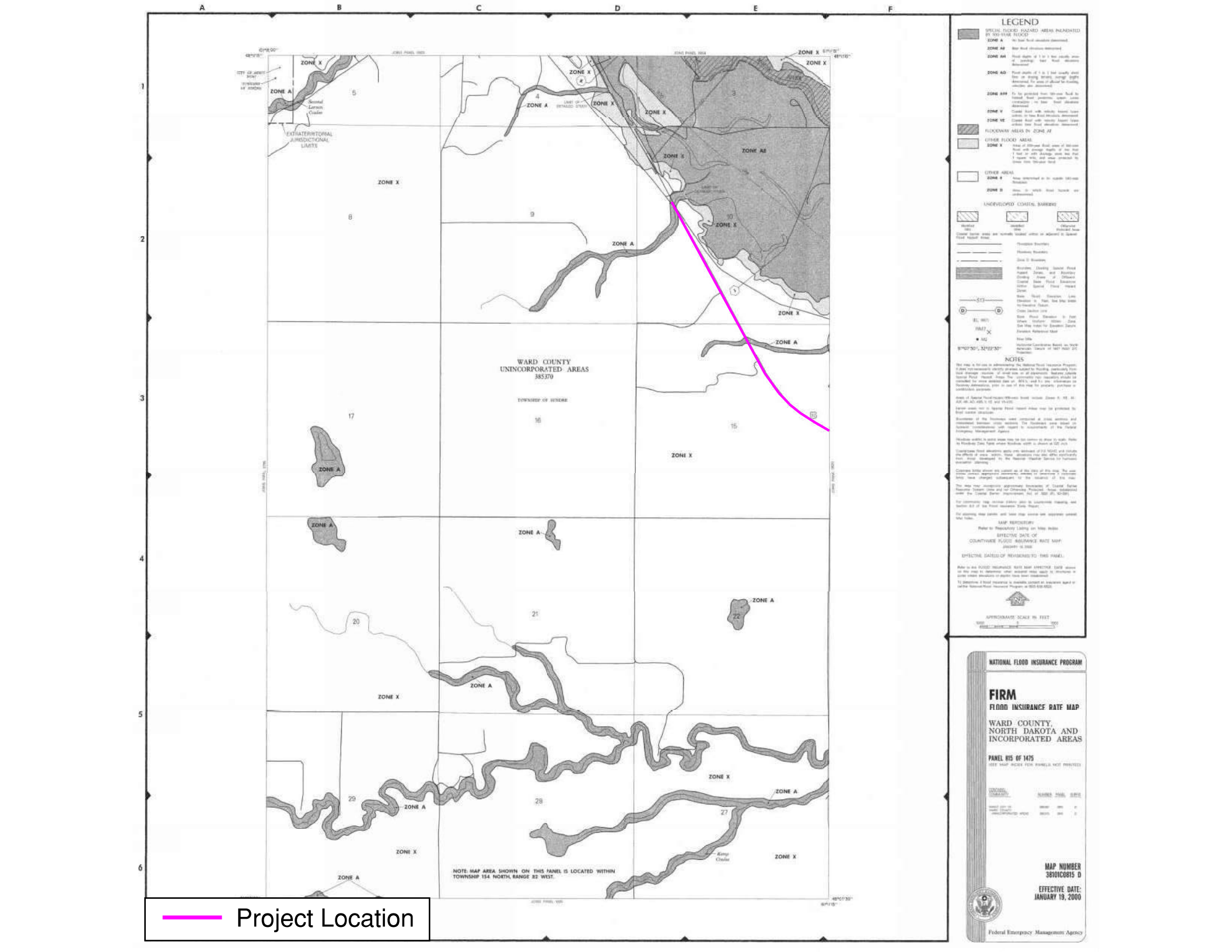
Wetland Impacts-McHenry

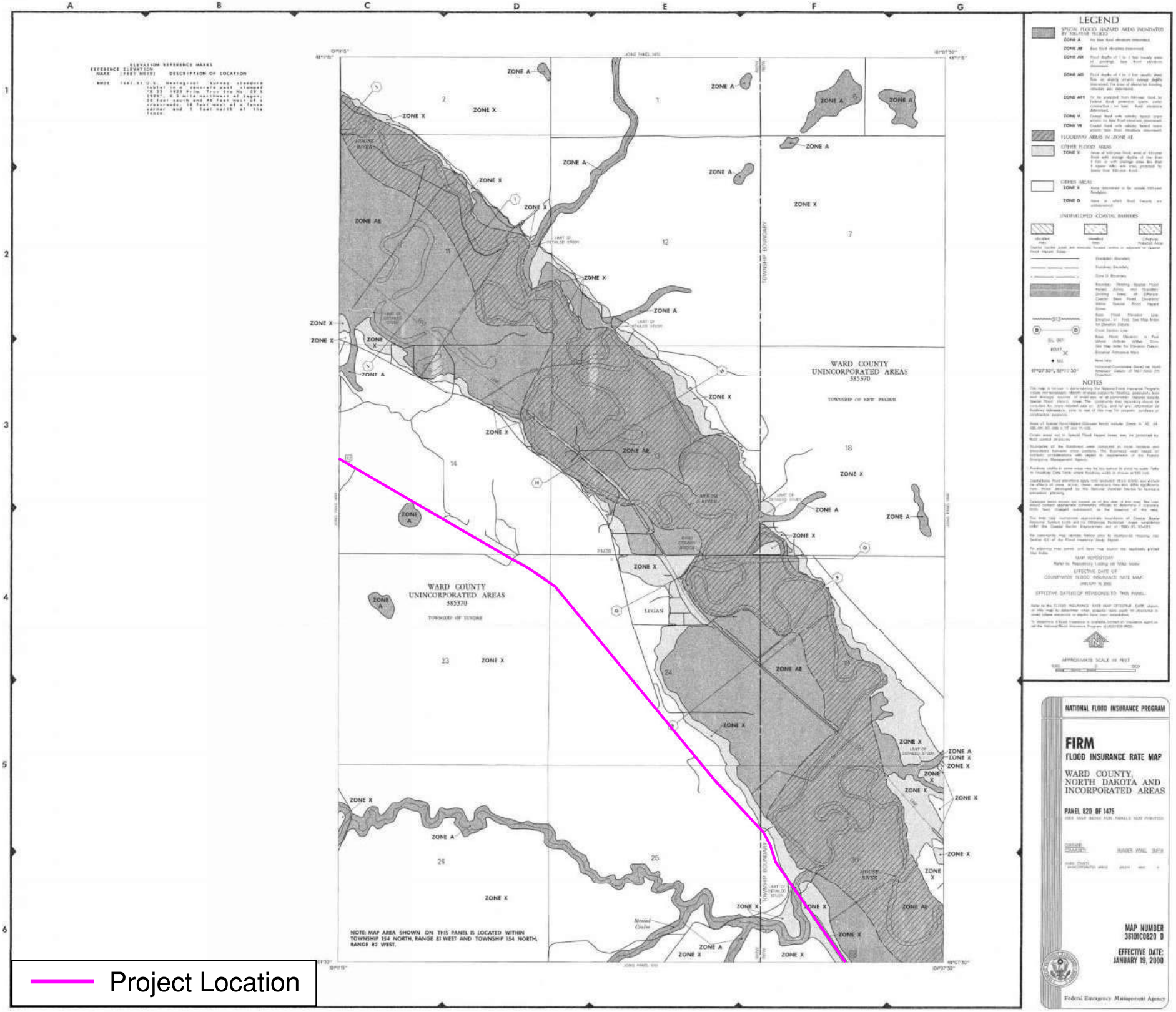
- Wetland Impact Permanent
- Wetland Impact Temporary

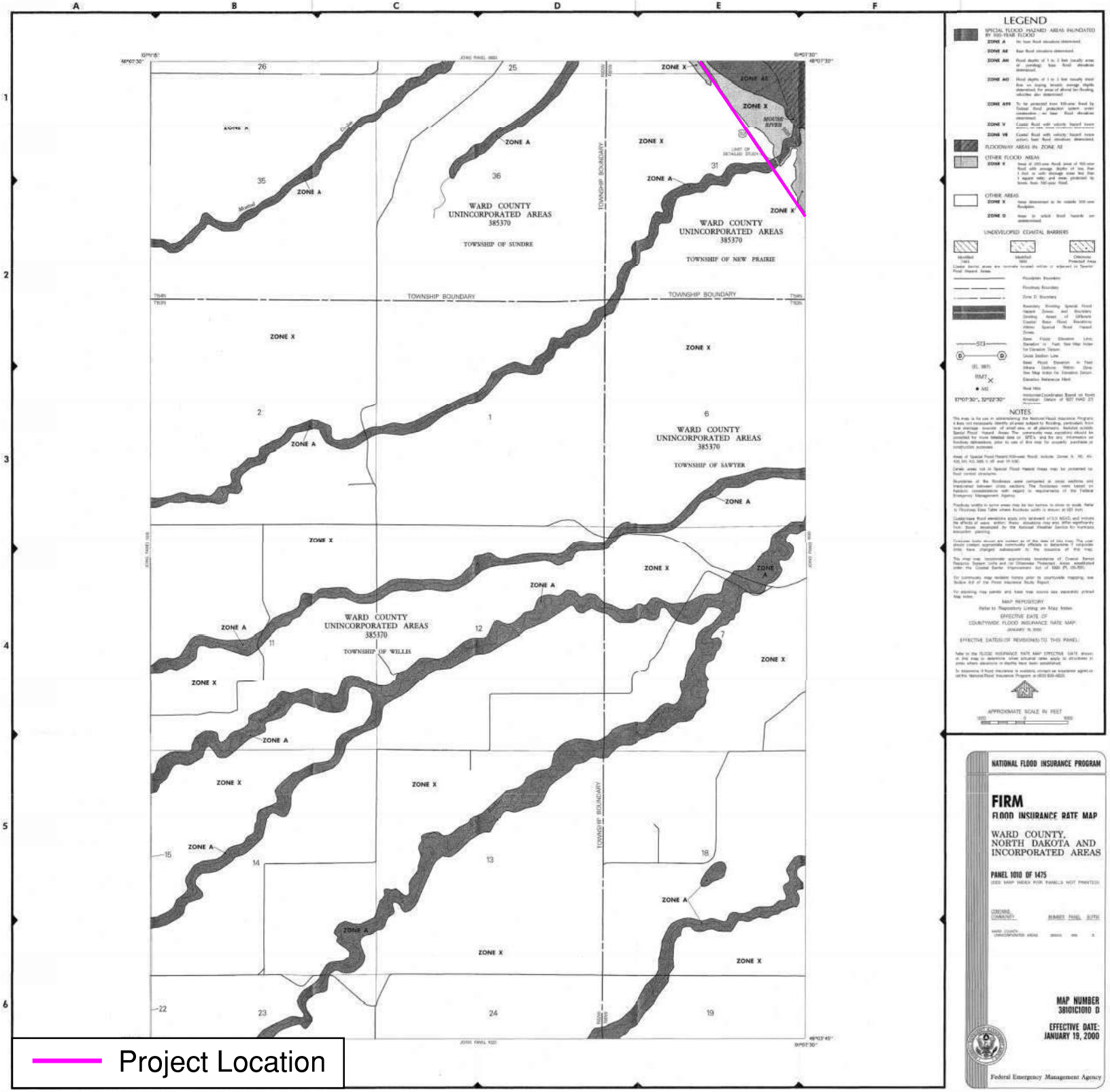
MAP CREATED BY: Bryan Erickson
DATE: 2/6/2026 8:53 AM
PROJECT: A-052(109)101
PCN: 24012
DELINEATORS: Jeff Moss, Mike Huffington, Nick Andersen
SOIL SCIENTISTS: Perry Sullivan, Hal Weiser, Dave Braker
FIELD DATES: October 23-24, 2023; November 13-15, 2023; June 3, 2025
BACKGROUND: 2024 NAIP
DATA SOURCES: Ulteig, NDGIS & NDDOT

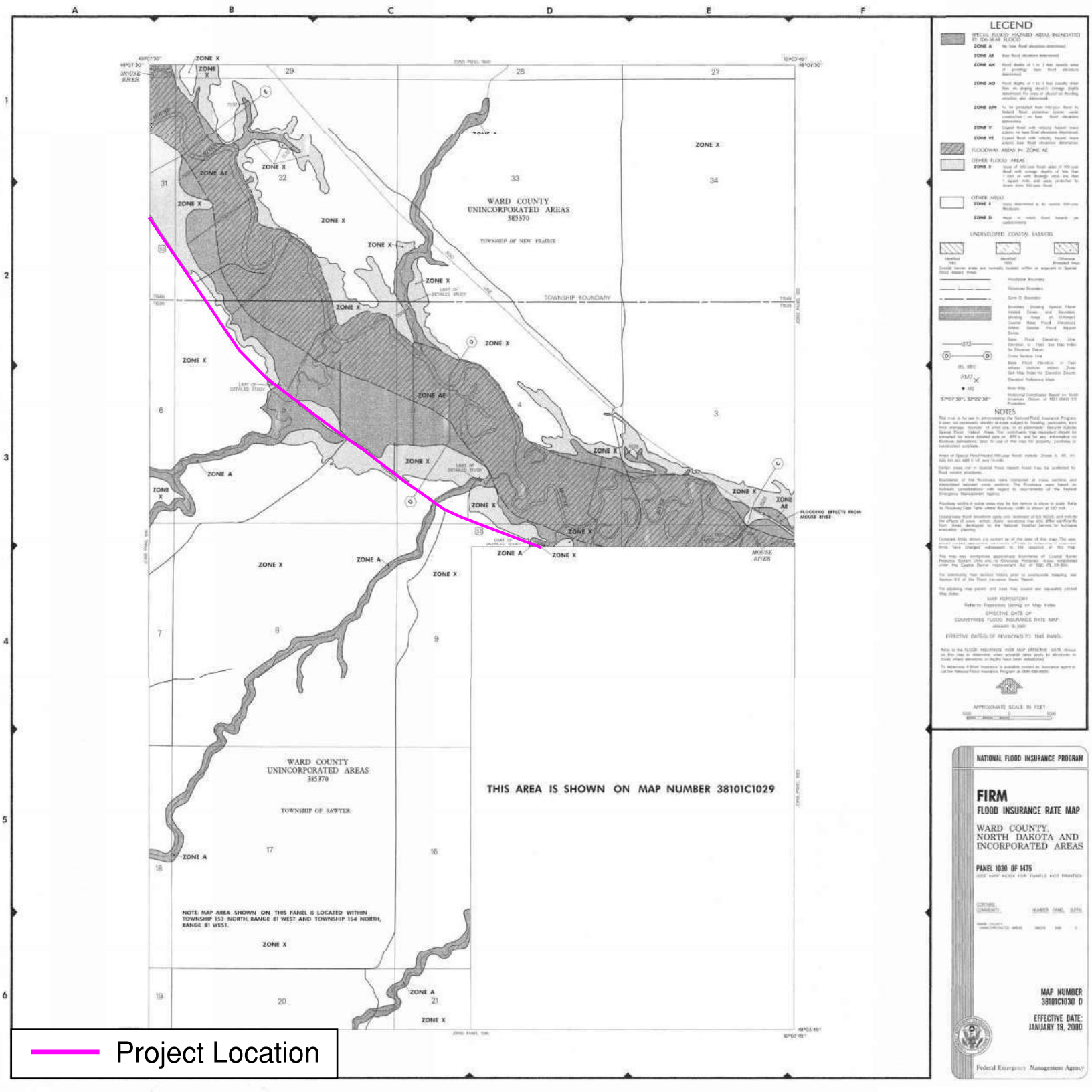
Dakota | Transportation

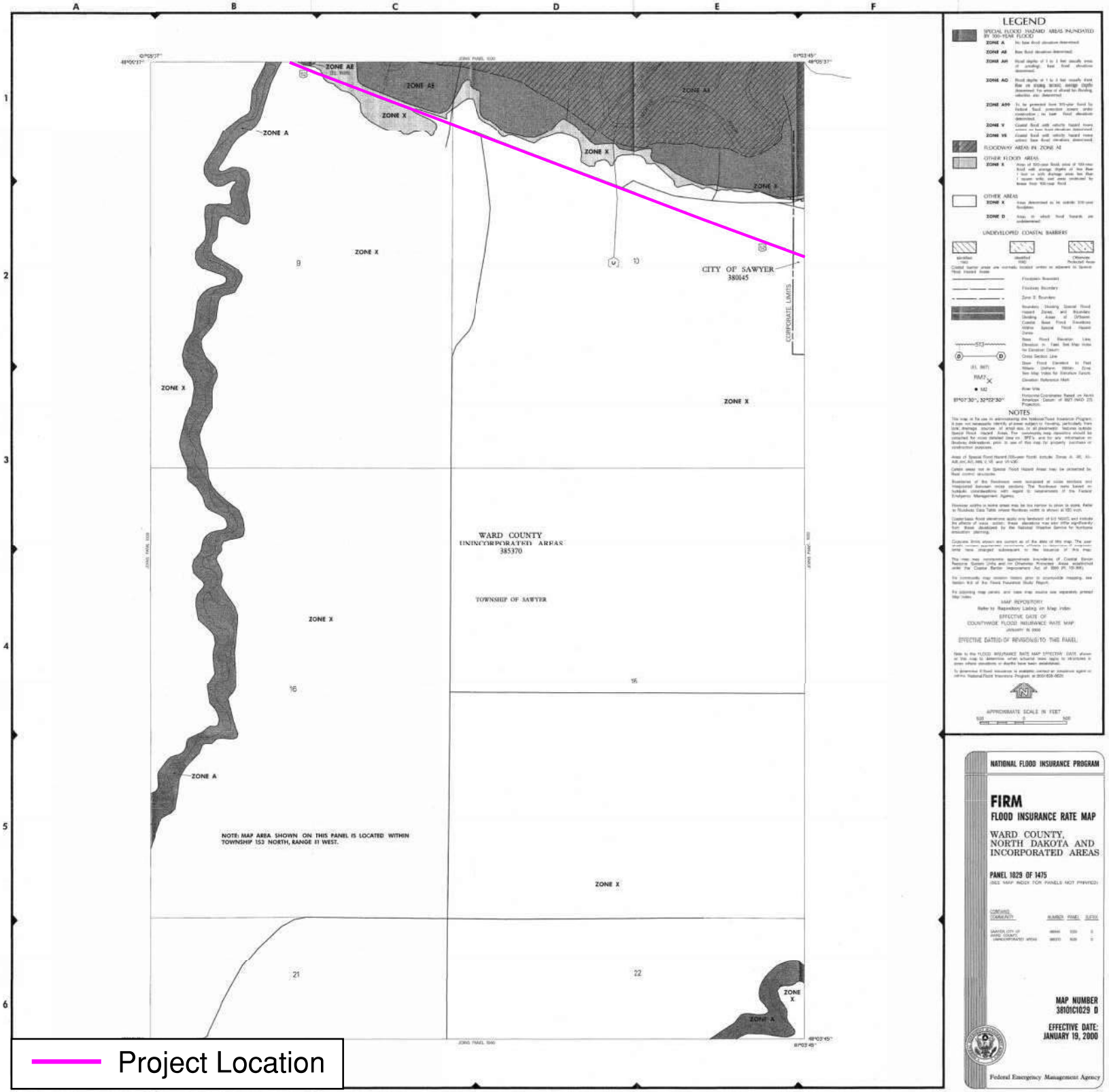
Appendix H, FIRM Maps

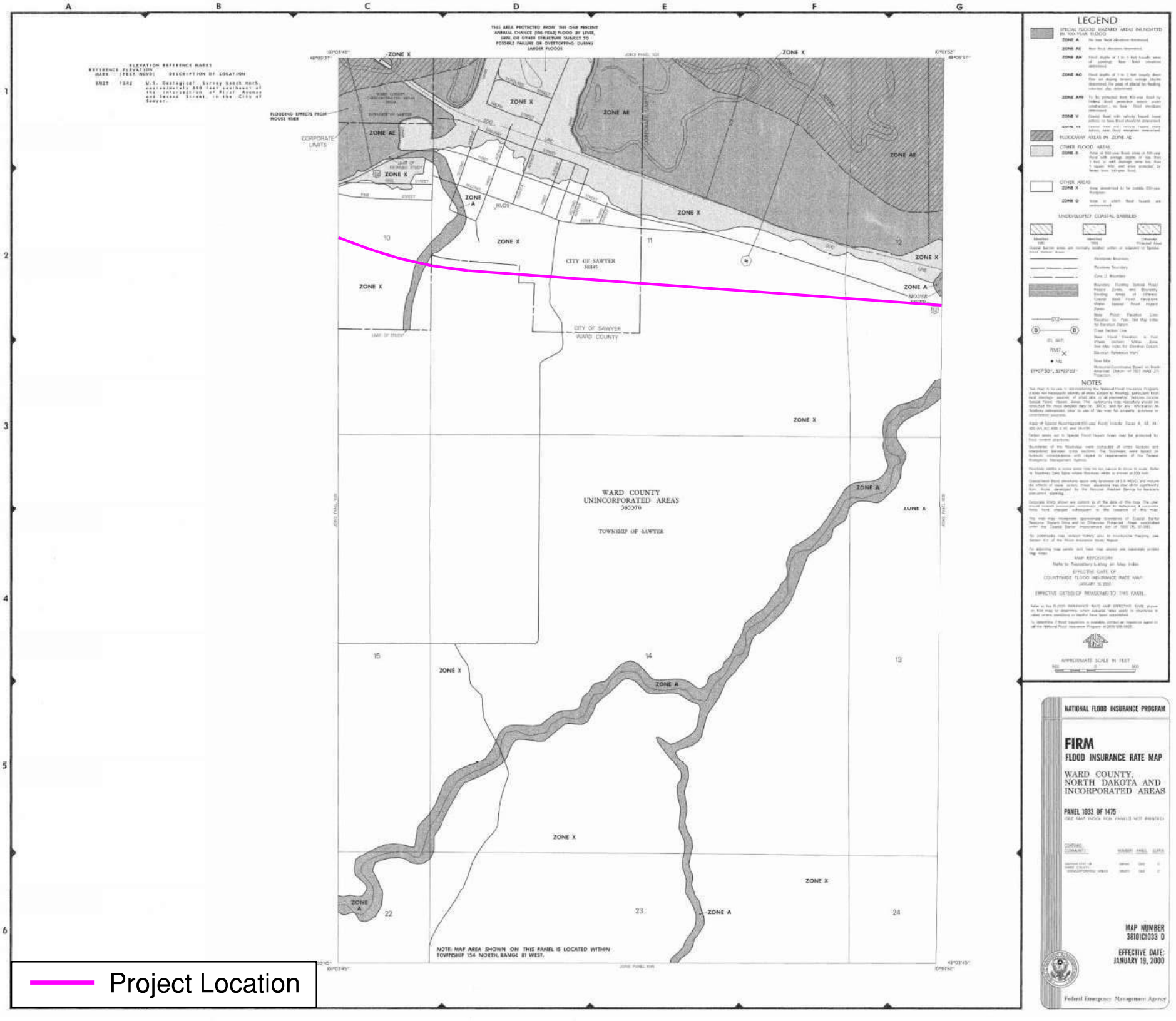

LEGEND
NOTES
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 815 OF 1475
MAP NUMBER 38101C0815 D
EFFECTIVE DATE: JANUARY 19, 2000
Federal Emergency Management Agency
WARD COUNTY UNINCORPORATED AREAS 385370
TOWNSHIP OF SUNDRE
NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 154 NORTH, RANGE 82 WEST.
ZONE A
ZONE AE
ZONE X
Project Location

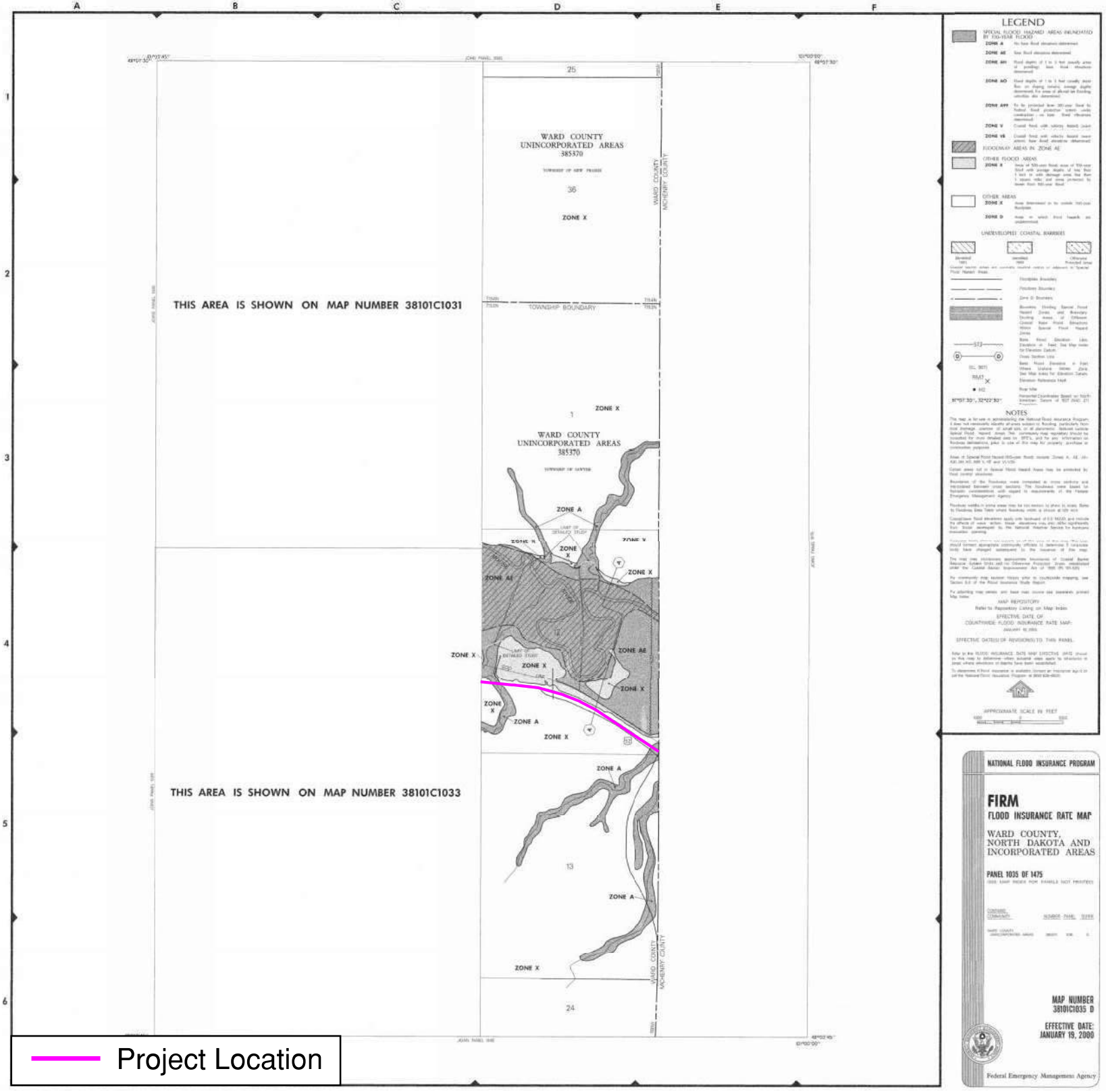

LEGEND
NOTES
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 820 OF 1475
MAP NUMBER 38101C0820 D
EFFECTIVE DATE: JANUARY 19, 2000
Federal Emergency Management Agency
WARD COUNTY UNINCORPORATED AREAS 385370
TOWNSHIP OF NEW PRAIRIE
WARD COUNTY UNINCORPORATED AREAS 385370
TOWNSHIP OF SUNDAL
LOGAN
MOUSE RIVER
TOWNSHIP BOUNDARY
NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 154 NORTH, RANGE 81 WEST AND TOWNSHIP 154 NORTH, RANGE 82 WEST.
Project Location


LEGEND
NOTES
WARD COUNTY UNINCORPORATED AREAS 385370
TOWNSHIP OF SUNDRE
TOWNSHIP OF NEW PRAIRIE
TOWNSHIP OF SAWYER
TOWNSHIP OF WILLIS
TOWNSHIP BOUNDARY
ZONE A
ZONE X
ZONE AE
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 1010 OF 1475
MAP NUMBER 38101C1010 D
EFFECTIVE DATE: JANUARY 19, 2000
Federal Emergency Management Agency
Project Location


LEGEND
NOTES
WARD COUNTY
UNINCORPORATED AREAS
385370
TOWNSHIP OF NEW FRAIRIE
TOWNSHIP BOUNDARY
WARD COUNTY
UNINCORPORATED AREAS
385370
TOWNSHIP OF SAWYER
THIS AREA IS SHOWN ON MAP NUMBER 38101C1029
NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 153 NORTH, RANGE 81 WEST AND TOWNSHIP 154 NORTH, RANGE 81 WEST.
FLOODING EFFECTS FROM MOUSE RIVER
MOUSE RIVER
ZONE A
ZONE AE
ZONE X
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 1030 OF 1475
MAP NUMBER 38101C1030 D
EFFECTIVE DATE: JANUARY 19, 2000
Federal Emergency Management Agency
Project Location


A
B
C
D
E
F
1
2
3
4
5
6
ZONE AE
(EL. 1695)
ZONE AE
ZONE X
ZONE A
ZONE X
ZONE X
ZONE X
9
10
CITY OF SAWYER
380145
CORPORATE LIMITS
ZONE X
ZONE X
WARD COUNTY
UNINCORPORATED AREAS
385370
TOWNSHIP OF SAWYER
ZONE X
16
15
ZONE A
NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 153 NORTH, RANGE 81 WEST.
ZONE X
21
22
ZONE X
ZONE A
LEGEND
SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD
ZONE A
ZONE AE
ZONE AH
ZONE AO
ZONE A99
ZONE V
ZONE VE
FLOODWAY AREAS IN ZONE AE
OTHER FLOOD AREAS
ZONE X
OTHER AREAS
ZONE X
ZONE D
UNDEVELOPED COASTAL BARRIERS
Floodplain Boundary
Floodway Boundary
Zone D Boundary
Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones
Base Flood Elevation Line; Elevation in Feet (See Map Index for Elevation Datum)
Cross Section Line
Base Flood Elevation in Feet Where Uniform Within Zone (See Map Index for Elevation Datum)
Elevation Reference Mark
River Mile
Horizontal Coordinates Based on North American Datum of 1927 (NAD 27) Projection
NOTES
APPROXIMATE SCALE IN FEET
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 1029 OF 1475
(SEE MAP INDEX FOR PANELS NOT PRINTED)
MAP NUMBER
38101C1029 D
EFFECTIVE DATE:
JANUARY 19, 2000
Federal Emergency Management Agency
Project Location


LEGEND
NOTES
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 1033 OF 1475
MAP NUMBER 38101C1033 D
EFFECTIVE DATE: JANUARY 19, 2000
Federal Emergency Management Agency
WARD COUNTY UNINCORPORATED AREAS
TOWNSHIP OF SAWYER
CITY OF SAWYER
CORPORATE LIMITS
FLOODING EFFECTS FROM MOUSE RIVER
NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 154 NORTH, RANGE 81 WEST.
Project Location


A
B
C
D
E
F
1
2
3
4
5
6
WARD COUNTY
UNINCORPORATED AREAS
385370
25
36
1
13
24
ZONE X
ZONE A
ZONE AE
WARD COUNTY
MCHENRY COUNTY
TOWNSHIP BOUNDARY
THIS AREA IS SHOWN ON MAP NUMBER 38101C1031
THIS AREA IS SHOWN ON MAP NUMBER 38101C1033
Project Location
LEGEND
NOTES
NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WARD COUNTY, NORTH DAKOTA AND INCORPORATED AREAS
PANEL 1035 OF 1475
MAP NUMBER 38101C1035 D
EFFECTIVE DATE: JANUARY 19, 2000
Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #8202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more **detailed** and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor
Feet NAVD 88 above Feet NGVD 29

Mouse River = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency

Project Location

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A — No Base Flood Elevations determined.

ZONE AE — Base Flood Elevations determined.

ZONE AH — Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR — Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 — Area to be protected from 1% annual chance flood by a federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V — Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE — Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway Boundary

Zone D Boundary

CBRS and OPA Boundary

Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.

513 — Base Flood Elevation line and value; elevation in feet*

(EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A — Cross section line

23 — 23 — Transect line

45° 02' 08", 93° 02' 12" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

5627000 N — 1000-meter Universal Transverse Mercator grid values, zone 14

DX5510 — Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.5 — River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Notes

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
January 18, 2005

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
July 18, 2011 - to update map format

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

500 0 1000 2000 FEET
150 0 300 600 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0910F

FIRM

FLOOD INSURANCE RATE MAP

MCHENRY COUNTY, NORTH DAKOTA (AND INCORPORATED AREAS)

PANEL 910 OF 1450
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
MCHENRY COUNTY	380307	0910	F
VEENA, TOWNSHIP OF	380310	0910	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
38049C0910F
MAP REVISED
JULY 18, 2011

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more **detailed** and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

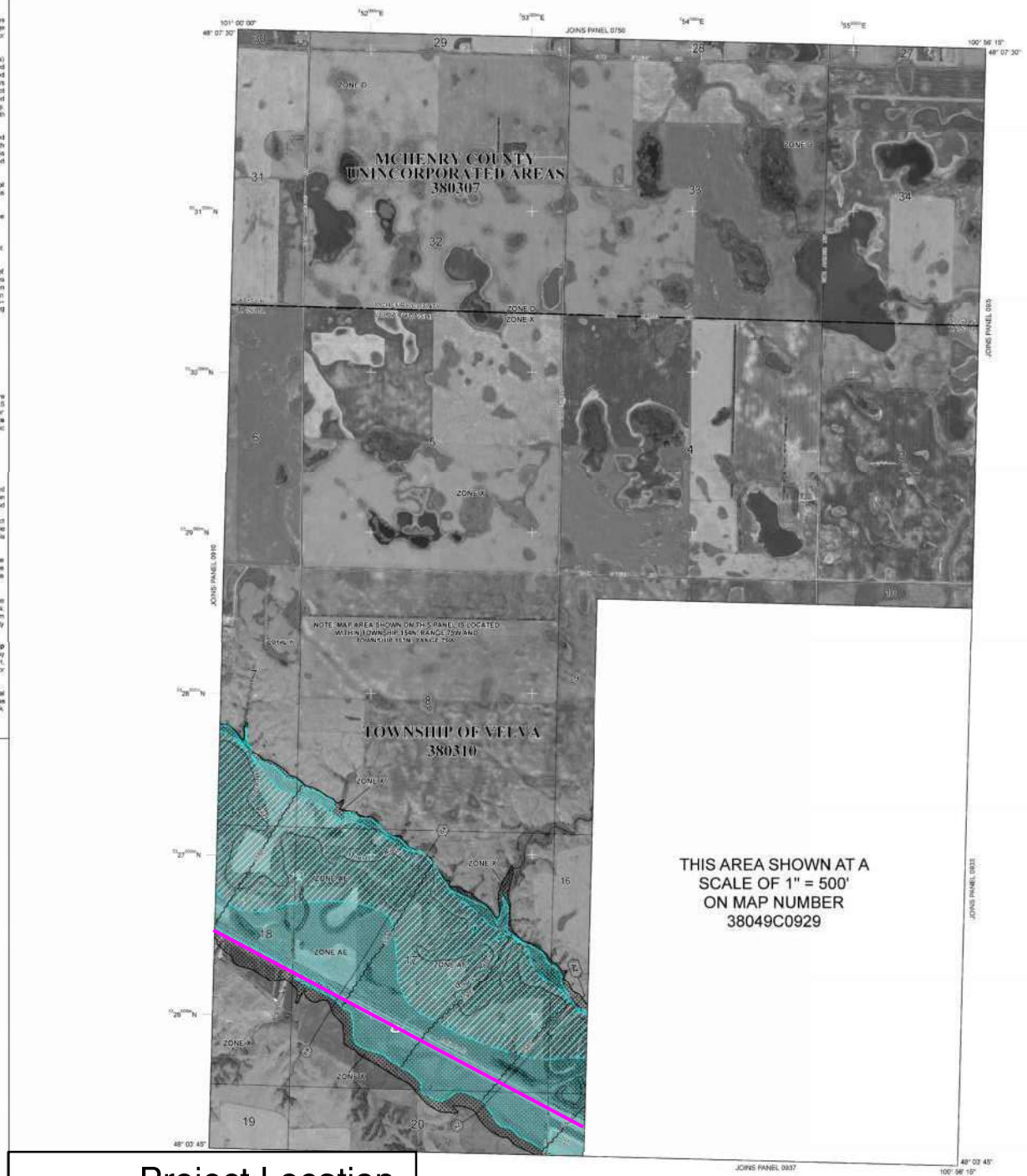
For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor
Feet NAVD 88 above Feet NGVD 29

Mouse River = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency



Project Location

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- **ZONE A** — No Base Flood Elevations determined.
- **ZONE AE** — Base Flood Elevations determined.
- **ZONE AH** — Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- **ZONE AO** — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- **ZONE AR** — Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- **ZONE A99** — Area to be protected from 1% annual chance flood by a federal flood protection system under construction; no Base Flood Elevations determined.
- **ZONE V** — Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- **ZONE VE** — Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- **ZONE X** — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

- **ZONE X** — Areas determined to be outside the 0.2% annual chance floodplain.
- **ZONE D** — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% Annual Chance Floodplain Boundary
- 0.2% Annual Chance Floodplain Boundary
- Floodway Boundary
- Zone D Boundary
- CBRS and OPA Boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

- A — Cross section line
- 23 — Transect line
- 45° 02' 08", 93° 02' 12" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere
- 5000 — 1000-meter Universal Transverse Mercator grid values, zone 14
- 3959 — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
January 19, 2005

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
July 18, 2011 - to update map format

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

500 0 1000 2000 FEET
150 0 300 600 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0930F

FIRM

FLOOD INSURANCE RATE MAP

MCHENRY COUNTY, NORTH DAKOTA
(AND INCORPORATED AREAS)

PANEL 930 OF 1450
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
MCHENRY COUNTY	380307	0930	F
VELVA, TOWNSHIP OF	380310	0930	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
38049C0930F
MAP REVISED
JULY 18, 2011

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

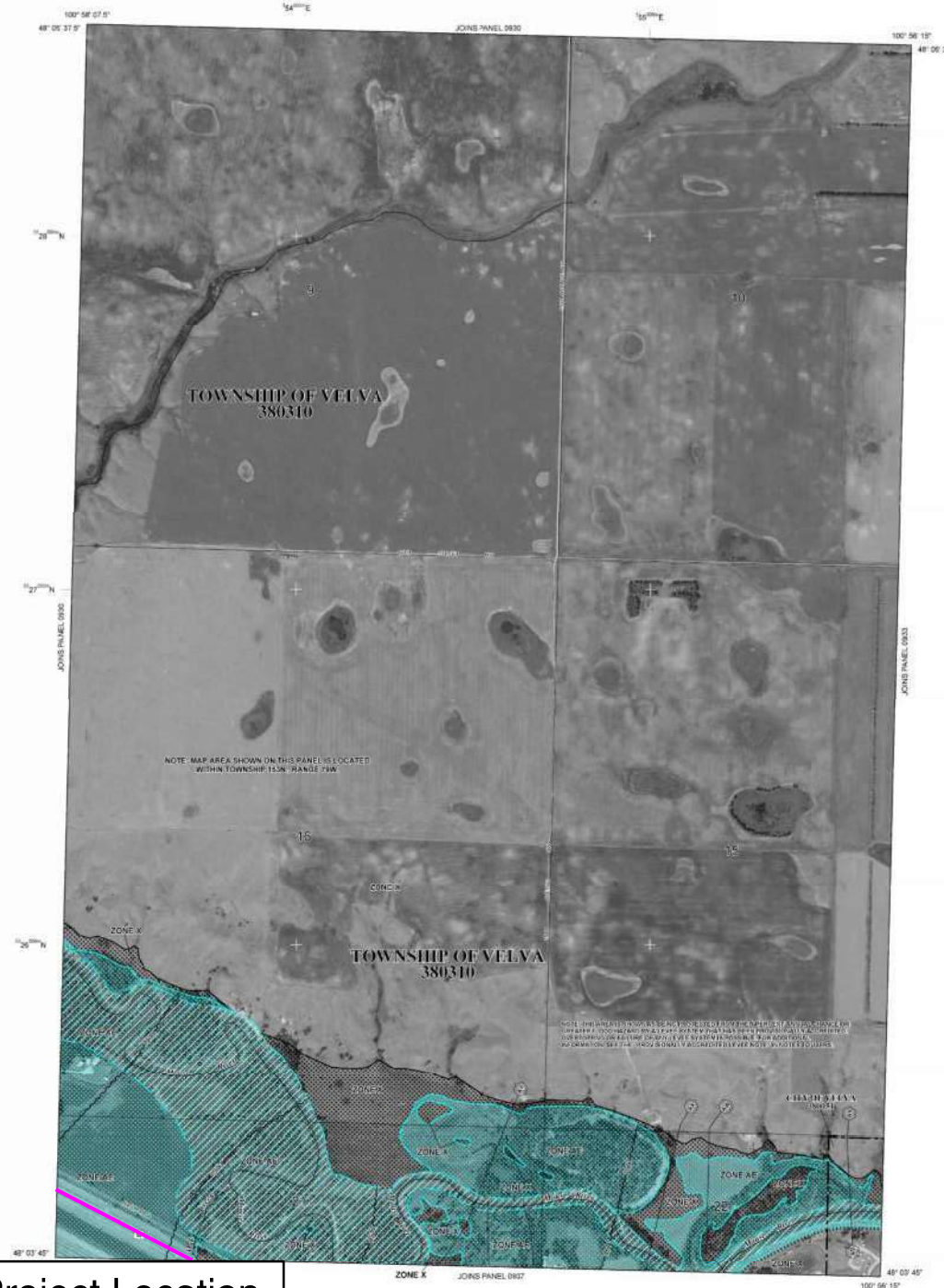
If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX) at 1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor:
Feet NAVD 88 above Feet NGVD 29

Moose River = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency.

Provisionally Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To maintain accreditation, the levee owner or community is required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations by September 15, 2011. If the community or owner does not provide the necessary data and documentation or if the data and documentation provided indicate the levee system does not comply with Section 65.10 requirements, FEMA will revise the flood hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and flood proofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at http://www.fema.gov/business/nfip/index.shtm.


JOINS PANEL 0930
JOINS PANEL 0950
JOINS PANEL 0933
JOINS PANEL 0937
TOWNSHIP OF VELVA
380310
TOWNSHIP OF VELVA
380310
NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 153N - RANGE 79W
ZONE X
ZONE AE
ZONE AH
ZONE A
ZONE X
ZONE X
ZONE X

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

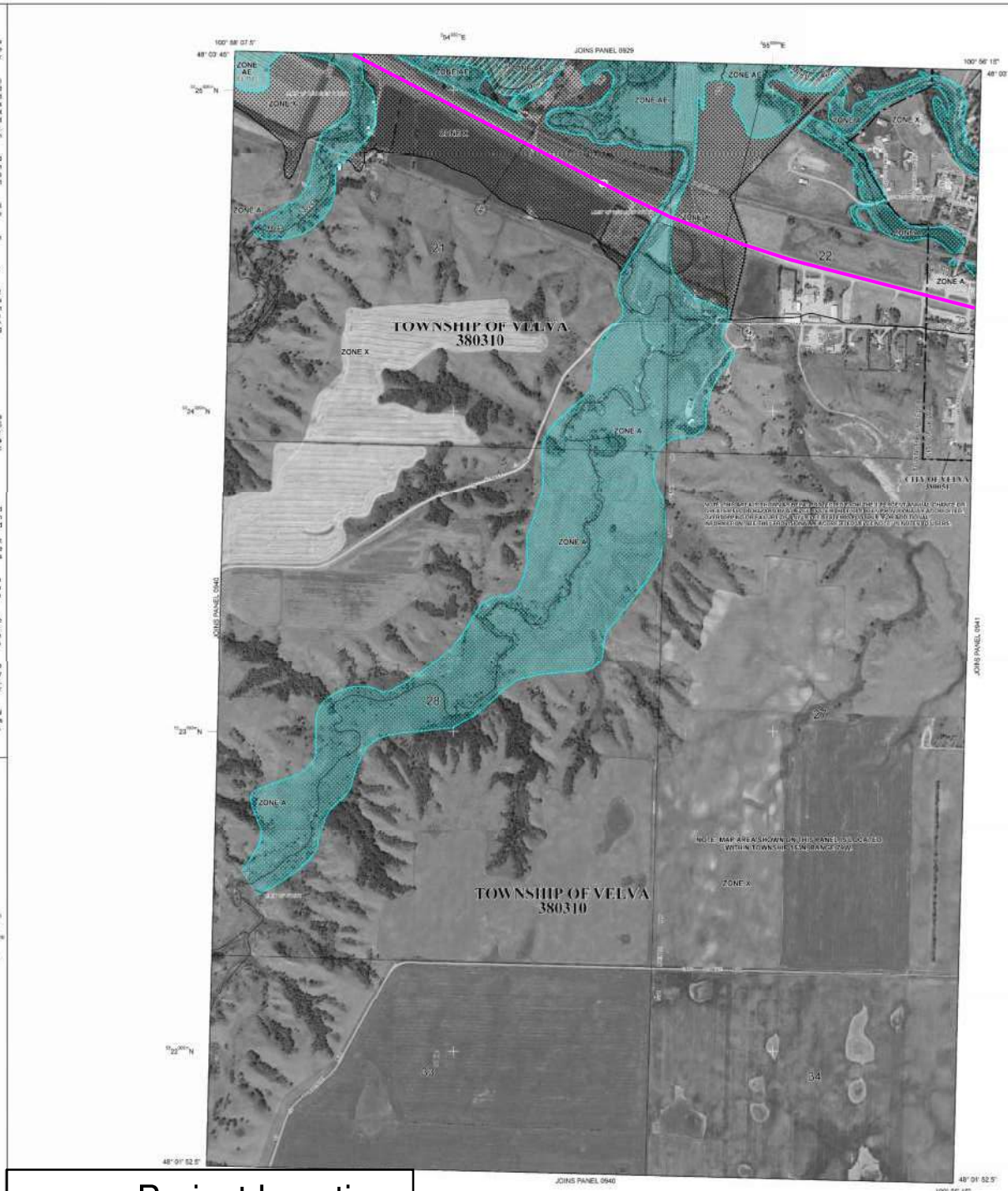
If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX) at 1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor:
Feet NAVD 88 above Feet NGVD 29

Mouse River = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency.

Provisionally Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To maintain accreditation, the levee owner or community is required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations by September 15, 2011. If the community or owner does not provide the necessary data and documentation or if the data and documentation provided indicate the levee system does not comply with Section 65.10 requirements, FEMA will revise the flood hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and flood proofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at http://www.fema.gov/business/nfip/index.shtm.



Project Location

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevations determined.

ZONE AE Base Flood Elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway Boundary

Zone D Boundary

CBRS and OPA Boundary

Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.

513 Base Flood Elevation line and value; elevation in feet*

(EL 987) Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A Cross section line

23 — 23 Transect line

45° 02' 08", 93° 00' 12" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

5489000 mN 1000-meter Universal Transverse Mercator grid values, zone 14

DX5510 X Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.5 River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
January 16, 2002

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

July 18, 2011 - To update map format

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

NAD 83

MAP SCALE 1" = 500'

250 0 500 1000 FEET
150 0 150 300 METERS

NFIP

PANEL 0937F

FIRM

FLOOD INSURANCE RATE MAP

MCHENRY COUNTY, NORTH DAKOTA
(AND INCORPORATED AREAS)

PANEL 937 OF 1450
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
VELVA, CITY OF	380054	0937	F
VELVA, TOWNSHIP OF	380310	0937	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

NATIONAL FLOOD INSURANCE PROGRAM

MAP NUMBER
38049C0937F
MAP REVISED
JULY 18, 2011

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

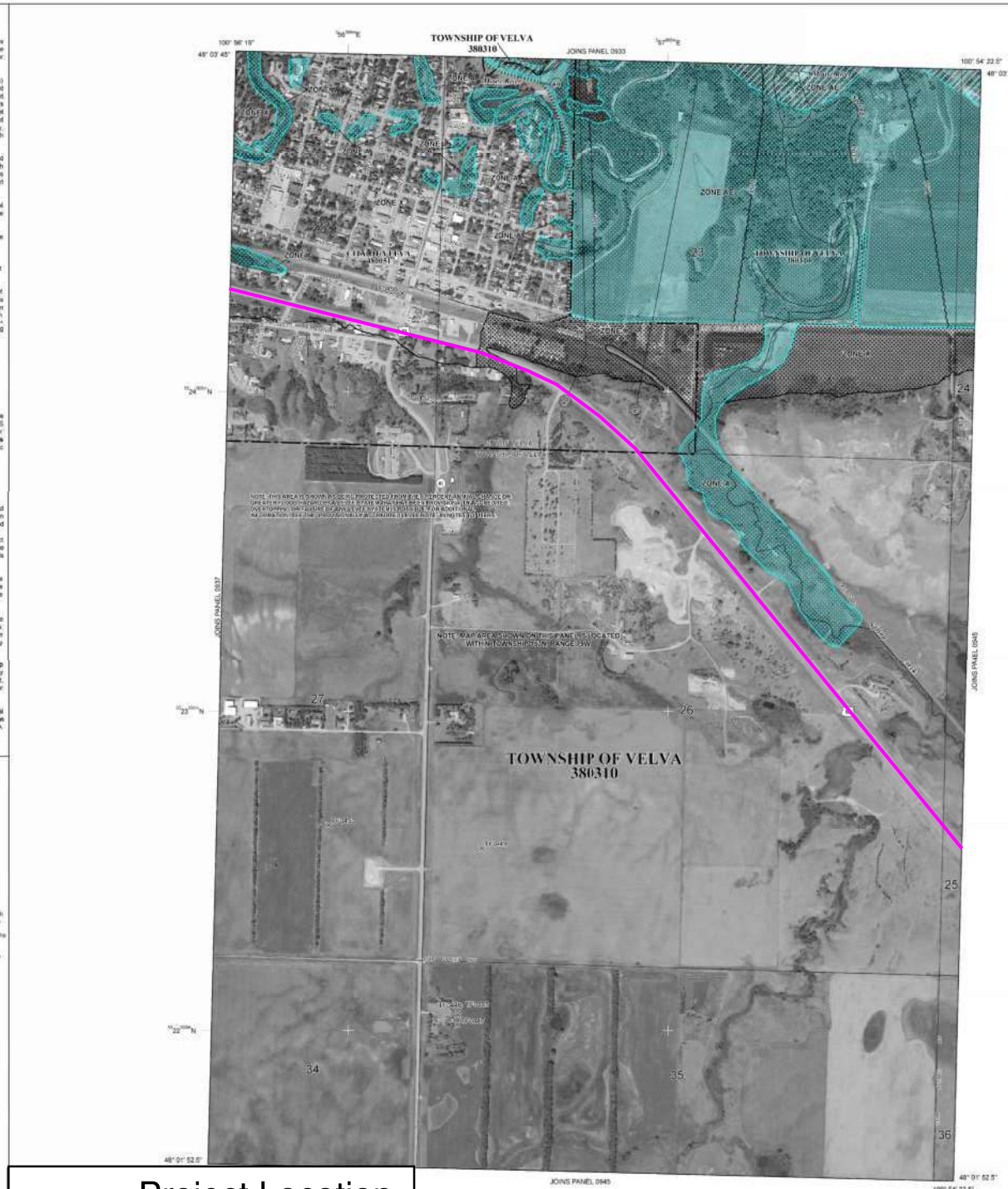
If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor:
Feet NAVD 88 above Feet NGVD 29

Mouse River = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency.

Provisionally Accredited Levee Notes to Users: Check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection for areas on this panel. To maintain accreditation, the levee owner or community is required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations by September 15, 2011. If the community or owner does not provide the necessary data and documentation or if the data and documentation provided indicate the levee system does not comply with Section 65.10 requirements, FEMA will revise the flood hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and flood proofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at http://www.fema.gov/business/nfip/index.shtm.



Project Location

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A — No Base Flood Elevations determined.

ZONE AE — Base Flood Elevations determined.

ZONE AH — Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR — Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 — Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V — Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE — Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway Boundary

Zone D Boundary

CBRS and OPA Boundary

Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.

513 — Base Flood Elevation line and value; elevation in feet*

(EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A — Cross section line

23 — 23 — Transect line

45° 02' 08", 93° 02' 12" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere.

5000-meter Universal Transverse Mercator grid values, zone 14

3513 — Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.2 — River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
January 16, 2002

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
July 18, 2011 - To update map format

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 500 1000 FEET
150 0 150 300 METERS

PANEL 0941F

FIRM

FLOOD INSURANCE RATE MAP

MCHENRY COUNTY, NORTH DAKOTA
(AND INCORPORATED AREAS)

PANEL 941 OF 1450
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
VELVA, CITY OF	380311	0941	F
VELVA, TOWNSHIP OF	380310	0941	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

NATIONAL FLOOD INSURANCE PROGRAM

MAP NUMBER
38049C0941F
MAP REVISED
JULY 18, 2011

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #8202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more **detailed** and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

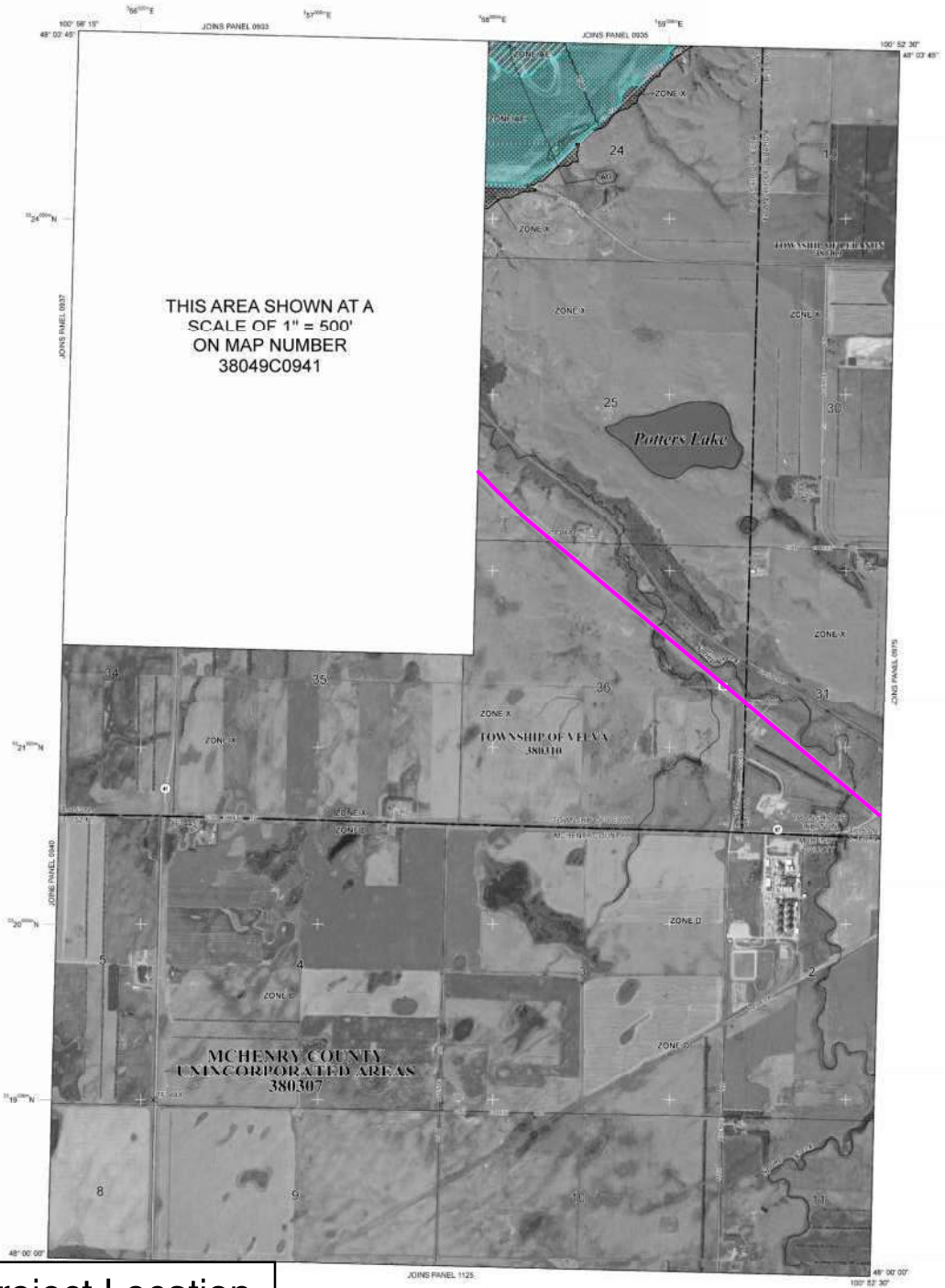
For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map**, how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor
Feet NAVD 88 above Feet NGVD 29

Moose River = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency



Project Location

LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevations determined.

ZONE AE Base Flood Elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 Area to be protected from 1% annual chance flood by a federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway Boundary

Zone D boundary

CBRS and OPA boundary

Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.

513 Base Flood Elevation line and value; elevation in feet*

(EL 987) Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A — A Cross section line

23 — 23 Transect line

45° 02' 08", 93° 02' 12" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

5000-meter Universal Transverse Mercator grid values, zone 14

3959519 × Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.5 River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
January 19, 2005

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
July 18, 2011 - To update map format

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

500 0 1000 2000 FEET
300 0 300 600 METERS

NFIP

PANEL 0945F

FIRM

FLOOD INSURANCE RATE MAP

MCHENRY COUNTY, NORTH DAKOTA (AND INCORPORATED AREAS)

PANEL 945 OF 1450
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
LEBANON, TOWNSHIP OF	380309	0945	F
MCHENRY COUNTY	380307	0945	F
VELVA, TOWNSHIP OF	380310	0945	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

NATIONAL FLOOD INSURANCE PROGRAM

MAP NUMBER
38049C0945F
MAP REVISED
JULY 18, 2011

Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) Report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS Report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study Report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study Report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 14. The **horizontal datum** was NAD 83, GRS 1980 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #8202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

Qualifying **bench marks** for this jurisdiction lie outside of the corporate limits and are located on non-printed panels. See the Qualifying NGS Bench Marks table in the FIS Report for a listing of bench marks. To obtain current elevation, description, and/or location information for qualifying **bench marks located in the vicinity of this jurisdiction**, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713- 3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was derived from 2009 aerialphotography obtained from the United States Department of Agriculture -Farm Survey Angency. The aerial photography has a pixel resolution of 1 meter.

Based on updated topographic information, this map reflects more **detailed** and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables for multiple streams in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

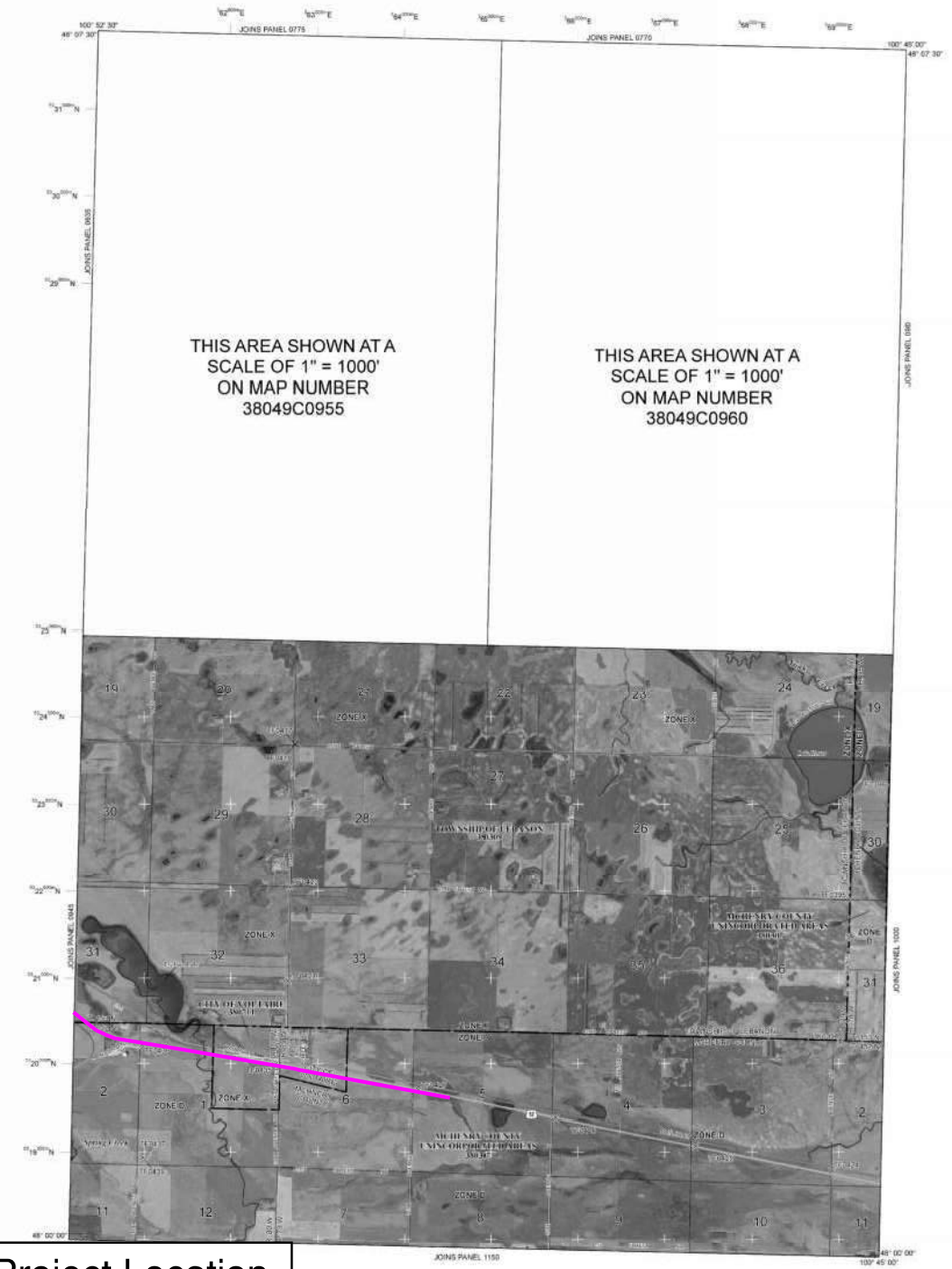
For information on available products associated with this FIRM visit the **Map Service Center (MSC)** website at http://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map,** how to order products, or the National Flood Insurance Program in general, please call the **FEMA Map Information eXchange (FMIX)** at **1-877-FEMA-MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov/business/nfip.

Vertical Datum Conversion Factor
Feet NAVD 88 above Feet NGVD 29

Mouse Rivet = +1.2 feet

This Digital Flood Insurance Rate Map was produced as part of the Flood Hazard Map Modernization Program through a Cooperating Technical Partner agreement between the North Dakota State Water Commission and the Federal Emergency Management Agency



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevations determined.

ZONE AE Base Flood Elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE A99 Area to be protected from 1% annual chance flood by a federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

1% Annual Chance Floodplain Boundary

0.2% Annual Chance Floodplain Boundary

Floodway Boundary

Zone D Boundary

CBRS and OPA Boundary

Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.

513 Base Flood Elevation line and value; elevation in feet*

(EL 987) Base Flood Elevation value where uniform within zone; elevation in feet*

*Referenced to the North American Vertical Datum of 1988

A Cross section line

23 Transect line

45° 02' 08", 93° 02' 12" Geographic coordinates referenced to the North American Datum of 1983 (NAD 83) Western Hemisphere

5000-meter Universal Transverse Mercator grid values, zone 14

3959 Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.5 River Mile

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
January 19, 2005

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
February 19, 2009 - TO INCORPORATE PREVIOUSLY ISSUED LETTER OF MAP REVISIONS
July 18, 2011 - To update map format

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET
300 0 600 1200 METERS

NFIP
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0975F

FIRM

FLOOD INSURANCE RATE MAP

MCHENRY COUNTY, NORTH DAKOTA (AND INCORPORATED AREAS)

PANEL 975 OF 1450
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
LEBANON, TOWNSHIP OF	380209	0975	F
MCHENRY COUNTY	380307	0975	F
VOLTAIRE, CITY OF	380111	0975	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
38049C0975F
MAP REVISED
JULY 18, 2011

Federal Emergency Management Agency

Appendix I, Preferred Alternative Recommendation Memo

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

PREFERRED ALTERNATIVE RECOMMENDATION

US HIGHWAY 52 FOUR LANE

Project No.	PCN
4-052(109)101	24012

US Highway 52 Four Lane from Approximately 2.3 Miles West of Junction 79th Avenue SE to Voltaire

Ward & McHenry Counties

Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
BISMARCK, NORTH DAKOTA

http://www.dot.nd.gov/

DIRECTOR
Ronald J. Henke, P.E.

PROJECT DEVELOPMENT DIRECTOR
Jon Ketterling, P.E.

April 2026

23 USC § 407
NDDOT Reserves All Objections

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Table of Contents

TABLE OF CONTENTS I
TABLE OF TABLES I
TABLE OF FIGURES I
I. PROJECT DESCRIPTION 1
II. PURPOSE OF DECISION DOCUMENT 1
III. ALTERNATIVES/OPTIONS 3
A. Alternative A: No Build 5
B. Alternative B: Divided Four-Lane Highway with a Depressed Center Median 5
C. Alternative C: Divided Four-Lane Highway with a Flush Paved Center Median 5
D. Alternatives By Segment 6
IV. SUMMARY OF PROPERTY IMPACTS FOR ALTERNATIVES/OPTIONS 10
V. SUMMARY OF ESTIMATED COSTS 11
VI. KEY ADVANTAGES AND DISADVANTAGES 11
VII. SUMMARY OF PUBLIC COMMENTS 18
VIII. RECOMMENDATIONS 19
IX. EXECUTIVE DECISIONS 21

Table of Tables

Table 1, Right-of-Way Impacts 10
Table 2, Cost Summary 11
Table 3, Key Advantages and Disadvantages 14
Table 4, Recommendations 19

Table of Figures

Figure 1, Study Area 2
Figure 2, Project Segments 4
Figure 3, Proposed Depressed Median 5
Figure 4, Proposed Flush Median 5
Figure 5, Velva Grade Raise 7
Figure 6, Velva Typical Section 8
Figure 7, Velva Shared Use Path 9

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

I. Project Description

NDDOT Project No.:	4-052(109)101, PCN 24012
Highway:	US Highway 52
District:	Minot
Limits:	Reference Point (RP) 101.2 near Minot (approximately 2.3 miles west of Junction 79th Ave SE) to RP 123.0 just east of Voltaire

II. Purpose of Decision Document

The purpose of this document is to record the selections of the Preferred Alternative and Options for the US Highway 52 four lane project located at (RP) 101.2 near Minot (approximately 2.3 miles west of Junction 79th Ave SE) to RP 123.0 just east of Voltaire. Please refer to ***Figure 1, Study Area.***

A brief summary is provided below of the alternatives/options and key elements. Please refer to the Draft Environmental Assessment (EA) that was prepared for the proposed action for further details on the purpose and need statement, alternative description and analysis, and summary of the affected environmental impacts. A copy of this completed and signed Preferred Alternative Recommendation will be included in the EA appendices.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

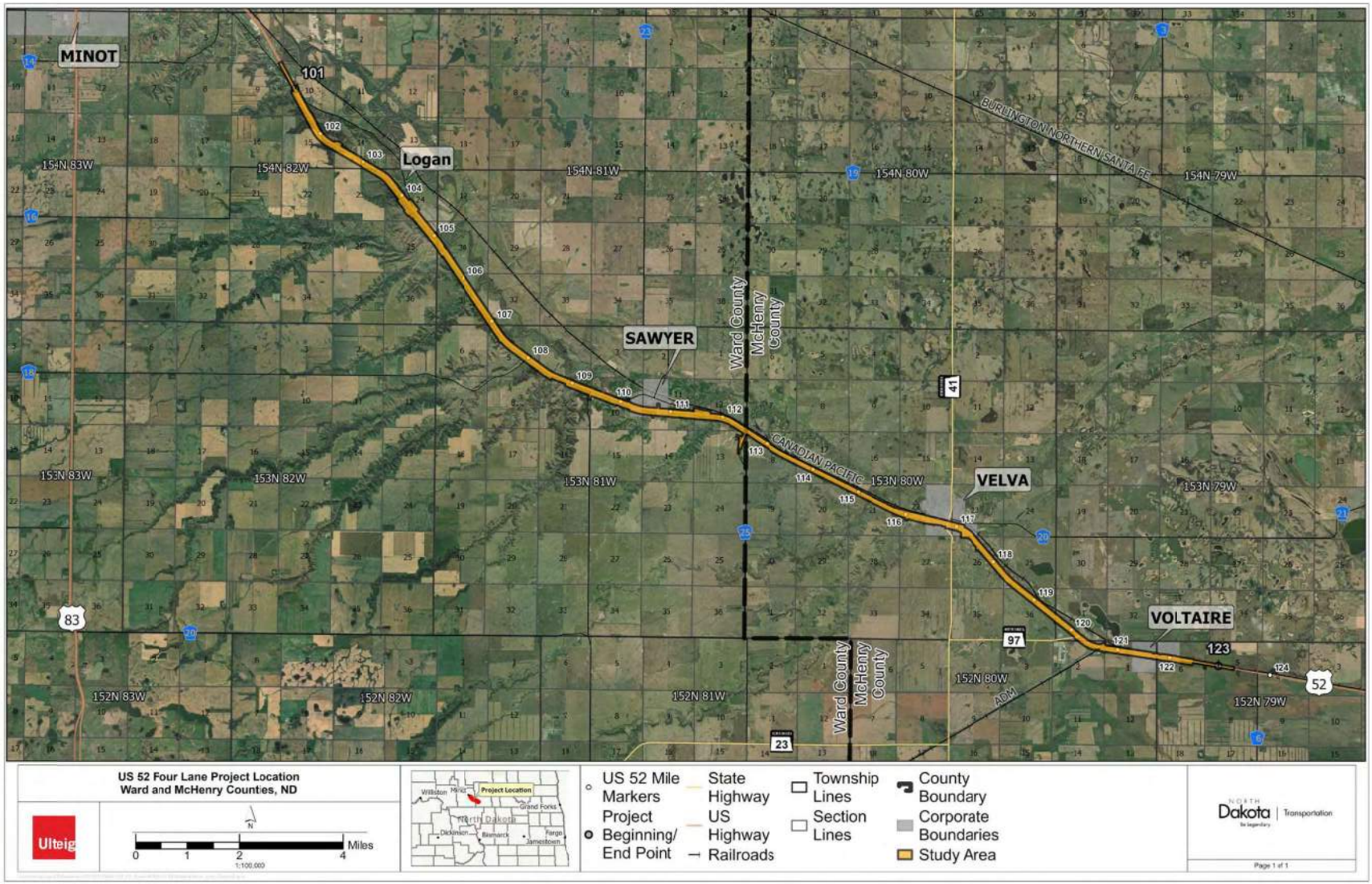


Figure 1, Study Area

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

III. Alternatives/Options

The overall corridor was divided into six segments, analyzing distinct build alternatives for each segment. Please refer to ***Figure 2, Project Segments.*** The six segments were broken down into the following RP ranges:

- Segment 1: RP 101.20 to RP 108.94
- Segment 2: RP 108.94 to RP 112.51
- Segment 3: RP 112.51 to RP 116.22
- Segment 4: RP 116.22 to RP 117.53
- Segment 5: RP 117.53 to RP 120.65
- Segment 6: RP 120.65 to RP 123.00

The no build alternative and two build alternatives were carried forward for detailed analysis in the EA. Each segment includes both a four-lane divided depressed median alternative (Alternative B) and a four-lane divided flush median alternative (Alternative C), except for Segment 4, where the depressed median alternative was deemed not feasible and has been eliminated from further consideration. In addition, a design option (Option V-1) to incorporate a shared-use path has been carried forward in Velva (Segment 4); the option could be selected in combination with or separate from Alternative C. The no build alternative is also under consideration for all segments.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

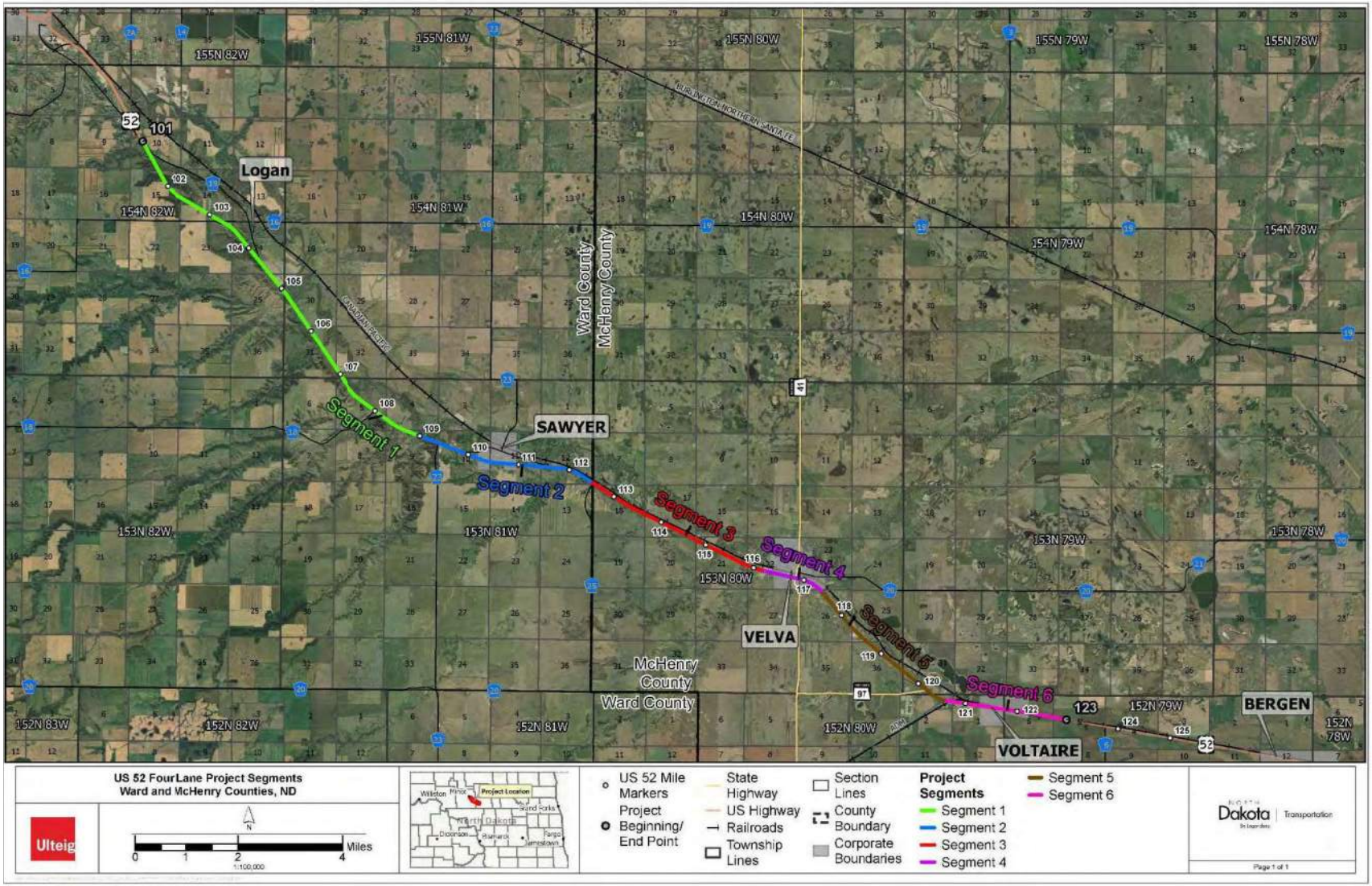


Figure 2, Project Segments

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

A. Alternative A: No Build

Alternative A, the no build alternative, would not address the identified needs related to perceived safety concerns, existing and future traffic demands, fulfillment of legislative funding obligations, or regional social and economic development. Under this alternative, US Highway 52 would remain in its current configuration, with only routine maintenance activities taking place.

B. Alternative B: Divided Four-Lane Highway with a Depressed Center Median

The depressed center median alternatives would consist of two 12-foot driving lanes in each direction, with 8-foot outside shoulders and 4-foot inside shoulders. A 52-foot-wide grassed depressed median would separate the two roadways. This median width could be reduced during final design to minimize impacts at select locations. To the extent practicable, the existing highway would be used to carry two lanes of traffic in one direction, while two new lanes would be constructed adjacent to the existing roadway to carry traffic in the opposite direction. The posted speed limit for this alternative would be 70 miles-per-hour (mph). Turn lanes would be installed throughout the corridor where warranted. Please refer to ***Figure 3, Proposed Depressed Median*** for the proposed typical section.

Figure 3, Proposed Depressed Median

C. Alternative C: Divided Four-Lane Highway with a Flush Paved Center Median

The flush center median alternatives would consist of two 12-foot driving lanes in each direction, with 8-foot outside shoulders. A 20-foot-wide paved flush median would separate the opposing lanes of traffic. Where feasible, the median centerline would follow the existing roadway centerline, shifting off the crown only where necessary to avoid impacts. The posted speed limit for this alternative would be 65 mph outside Velva, reduced to 50 mph and 40 mph within city limits. Turn lanes would be installed throughout the corridor where warranted. Please refer to ***Figure 4, Proposed Flush Median*** for the proposed typical section.

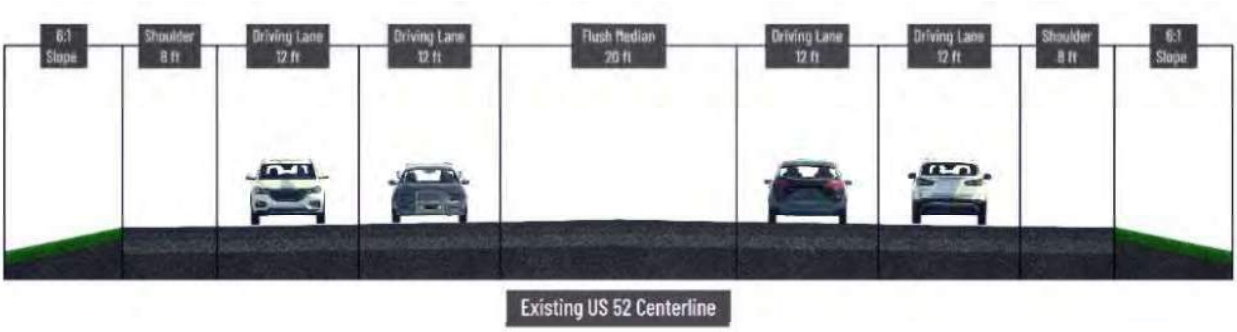


Figure 4, Proposed Flush Median

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

D. Alternatives By Segment

1. Segment 1 RP 101.20 to RP 108.94

Segment 1 extends a total distance of 7.74 miles. At its western terminus, the corridor connects to the existing four-lane section of US Highway 52, which begins south of the US Highway 2 interchange. Segment 1 is characterized by steep river break terrain as it parallels the Souris River. Throughout this segment, NDDOT owns excess right-of-way (ROW) along the south side of the highway.

a) Alternative B1

The existing roadway would be used to carry two lanes of westbound traffic, while a new two-lane facility would be constructed to the south to accommodate eastbound traffic.

b) Alternative C1

The existing roadway would be widened evenly to both sides to accommodate the additional lanes and center median.

2. Segment 2 RP 108.94 to RP 112.51

Segment 2 extends a total distance of 3.57 miles. This segment runs along the south side of the city of Sawyer. Throughout Segment 2, NDDOT owns excess ROW along the south side of the highway.

a) Alternative B2

The existing roadway would be used to carry two lanes of westbound traffic, while a new two-lane facility would be constructed to the south to accommodate eastbound traffic.

b) Alternative C2

The existing roadway would be widened to the south, shifting the current centerline an average of 27 feet (18 feet to 34 feet) to minimize impacts to existing constraints.

3. Segment 3 RP 112.51 to RP 116.22

Segment 3 extends a total distance of 3.71 miles. For most of its length, this segment directly parallels a Canadian Pacific Kansas City (CPKC) rail line located north of the highway, which represents a primary ROW constraint.

In addition, this segment would require raising the grade of US Highway 52 up to 6 feet to address potential flooding concerns per the Mouse River Enhanced Flood Protection Project's recommendation. Please refer to ***Figure 5, Velva Grade Raise***. A speed limit reduction would occur at RP 115 to 50 mph and would then reduce to 40 mph as the segment enters Velva.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Figure 5, Velva Grade Raise

a) Alternative B3

Between RP 112.51 and RP 115.00, Alternative B3 would consist of a four-lane roadway with a depressed center median, with expansion occurring to the south of US Highway 52. At RP 115.00, the roadway would start transitioning to a flush center median section to avoid impacts to the Holy Cross Cemetery. The CPKC rail line parallels much of this segment on the north side, limiting expansion in that direction; however, near the Holy Cross Cemetery the rail line shifts away from the highway. In this location, the roadway centerline would be shifted slightly to the north to minimize encroachment on the cemetery before returning to the existing centerline prior to entering Velva. Under this alternative, the existing roadway alignment would be used to carry two lanes of westbound traffic, while a new two-lane facility would be constructed to the south to accommodate eastbound traffic.

b) Alternative C3

Alternative C3 would include two new eastbound lanes and the flush median would be constructed south of the existing roadway, requiring a centerline shift of approximately 16 feet prior to the grade raise and 36 feet throughout the portions of the grade raise that parallel the CPKC rail line. The CPKC rail line parallels much of this segment on the north side, limiting expansion in that direction; however, near the Holy Cross Cemetery the rail line shifts away from the highway. In this location, the roadway centerline would be shifted slightly to the north to minimize encroachment on the cemetery before returning to the existing centerline prior to entering Velva. The existing roadway alignment would continue to carry westbound traffic.

4. Segment 4 RP 116.22 to RP 117.53

Segment 4 extends a total length of 1.31 miles. This segment passes through the city of Velva and is the only urban portion of the project corridor. The current roadway configuration for this segment includes curb and gutter with two 12-foot-wide driving lanes separated by a 14-foot-wide paved center median that functions as a shared two-way left-turn lane, and 8-foot outside shoulders. The corridor is closely bordered by businesses and residences on both sides of the highway. Implementing a depressed median alternative in this area would require additional ROW acquisition and likely result in the relocation of adjacent properties. Due to these constraints, the depressed median alternative was determined not to be feasible for Segment 4 and was eliminated from further consideration. An optional work item has been included in this segment for a shared-use path.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

a) Alternative C4

As shown in ***Figure 6, Velva Typical Section***, the typical section would include two 12-foot driving lanes in each direction, separated by a 12-foot paved median functioning as a two-way left-turn lane. The corridor would be designed as an urban section with curb and gutter and stormwater drainage improvements. Under this alternative, the posted speed limit would be 40 mph within the city of Velva. At RP 117.00, the speed limit would increase to 50 mph before transitioning to match the Segment 5 design speed.

Under Alternative C4, three existing right turn lanes would be removed due to the addition of a continuous travel lane in each direction. The intersection of US Highway 52 and ND Highway 41 currently does not have a dedicated right-turn lane along the southbound leg of ND Highway 41; however, the existing approach is wide enough to function as a right-turn lane onto US Highway 52. This movement has the highest right-turn volume at the intersection. Although a dedicated right-turn lane was not evaluated in the traffic operations report, it will be added based on engineering judgement to clarify lane assignments and improve intersection operations.

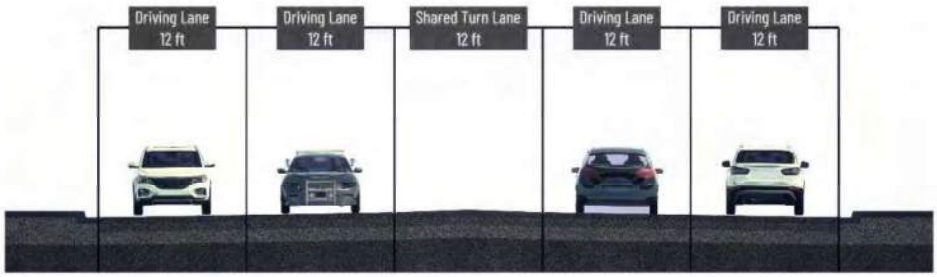


Figure 6, Velva Typical Section

An existing north/south pedestrian crossing is located at the intersection of US Highway 52 and ND Highway 41. Alternative C4 would improve pedestrian safety at this crossing by installing an enhanced crosswalk with a rectangular rapid-flashing beacon and advanced signing. To further enhance safety, a 6-foot pedestrian refuge median would be added on the east side of the intersection, paired with a 6-foot gore area on the opposite side to accommodate additional post-mounted flashing beacons. Although current pedestrian and traffic volumes do not warrant such a crossing improvement, this treatment is recommended based on engineering judgement to improve safety and visibility of pedestrians.

5. Segment 4 Design Option

Segment 4 is the only urban roadway segment along the project corridor and the only segment with existing pedestrian facilities. Currently, pedestrian accommodations are limited to a sidewalk along the east side of ND Highway 41, located both north and south of the US Highway 52 intersection, with a marked pedestrian crossing at the intersection. To enhance pedestrian connectivity and safety, one design option is under consideration for this segment. The option could be selected in combination with or separate from Alternative C4.

a) Option V-1: 10-foot Shared-Use Path

Option V-1 in Segment 4 would provide a continuous 10-foot-wide shared-use path along the north side of US Highway 52 through Velva, extending from approximately RP 116.15 to ND Highway 41. Please refer to ***Figure 7, Velva Shared Use Path***. The path would be constructed along the outside edge of the highway ROW, creating separation from the roadway and allowing space for snow storage within the median.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Figure 7, Velva Shared Use Path

6. Segment 5 RP 117.53 to RP 120.65

Segment 5 extends a total length of 3.12 miles. The eastern end of Segment 5 terminates at an existing at-grade railroad crossing. Future improvements, including the installation of acceleration and deceleration lanes, are planned at this crossing location as part of a separate NDDOT project (PCN 23404). It is anticipated that these improvements will be completed prior to construction of this four-lane project.

a) Alternative B5

Alternative B5 consists of a four-lane roadway with a depressed center median, with expansion occurring to the north of US Highway 52 for the majority of the segment. The presence of a farm equipment dealership, cultural resource sites, and an electrical substation along the south side of the corridor precludes expansion in that direction for a depressed median alternative. The depressed center median will transition from expansion to the north to a full reconstruct centered on the existing roadway to allow the depressed center median to fit between the railroad switches at the railroad crossing. Where the segment expands to the north, two new westbound lanes would be constructed north of the existing roadway, which would continue to carry eastbound traffic.

b) Alternative C5

Under this alternative, the existing roadway would be widened equally to both the north and south to accommodate the additional lanes and center median. This alternative would tie into the planned improvements at the railroad crossing near RP 120.65 (PCN 23404).

7. Segment 6 RP 120.65 to RP 123.00

Segment 6 is 2.35 miles long. Key constraints along this segment include reduced ROW near the community of Voltaire due to the presence of a grain elevator on the north side of the highway and multiple residential properties to the south.

a) Alternative B6

Alternative B6 consists of a four-lane roadway with a depressed center median with a full reconstruct centered on the existing roadway through the railroad crossing transitioning to a flush center median. The transition from depressed center median to flush center median would start approximately 3,000 feet west of the intersection of US Highway 52 and Main Street in Voltaire. The transition from depressed to flush is due to constraints with the grain elevator to the north of US Highway 52 and residential properties to the south of US Highway 52. At the east end of Segment 6, an existing eastbound passing lane begins at RP 123.0. To ensure a proper transition between roadway sections, the proposed four-lane typical section would end at approximately RP 122.0, and the existing eastbound passing lane would be extended approximately 1 mile to the west to tie into the four-lane section.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

b) Alternative C6

Under this alternative, the existing roadway would be widened evenly to both sides to accommodate the additional lanes and center median. At the east end of Segment 6, an existing eastbound passing lane begins at RP 123.0. To ensure a proper transition between roadway sections, the proposed four-lane typical section would end at approximately RP 122.0, and the existing eastbound passing lane would be extended approximately 1 mile to the west to tie into the four-lane section.

As part of a separate NDDOT project (PCN 23404), acceleration and deceleration lanes are proposed at the railroad crossing at RP 120.65. These improvements are anticipated to be completed prior to construction of this four-lane expansion. The flush median section for Alternative C6 would tie into the existing widened pavement at this location.

IV. Summary of Property Impacts for Alternatives/Options

Based on the preliminary design of the alternatives, it is anticipated that approximately 92.58 acres to 182.10 acres of additional permanent ROW would be required, depending on the alternative selected. Where construction limits approach or extend beyond the existing ROW, additional ROW would be purchased. Two sheds/outbuildings would be removed as a result of Alternative B; no structure relocations would be required under any alternative/option. One piece of Intelligent Transportation System (ITS) technology, a camera and infrared illuminator mounted on a steel pole, is located in Segment 1 at RP 102.7 and would be relocated for both Alternative A and B. A detailed summary of ROW needs and building removals for each alternative is provided in ***Table 1, Right-of-Way Impacts.***

Table 1, Right-of-Way Impacts

Segment	Alternative/Option	No. of Buildings Removed	Temporary Easement (acres)	Permanent ROW (acres)
Segments 1-6	Alternative A	0	0	0
Segment 1	Alternative B1	0	20.5	65.0
	Alternative C1	0	19.4	33.3
Segment 2	Alternative B2	1	7.8	26.4
	Alternative C2	0	1.5	9.9
Segment 3	Alternative B3	1	6.0	49.1
	Alternative C3	0	7.7	28.4
Segment 4	Alternative C4 without Option V-1	0	1.9	1.9
	Alternative C4 with Option V-1	0	2.0	2.3
	Option V-1 without Alternative C4	0	0.7	0.4
Segment 5	Alternative B5	0	4.8	31.0
	Alternative C5	0	4.0	14.1
Segment 6	Alternative B6	0	2.4	8.3
	Alternative C6	0	1.1	6.5

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

V. Summary of Estimated Costs

A preliminary cost summary was prepared for each alternative and option under consideration. Please refer to ***Table 2, Cost Summary***.

Table 2, Cost Summary

Segment	Alternative	Preliminary Cost	Cost Per Mile
Segments 1-6	Alternative A	$0	$0
Segment 1	Alternative B1	$94.55 million	$12.17 million
	Alternative C1	$61.20 million	$7.88 million
Segment 2	Alternative B2	$49.85 million	$14.08 million
	Alternative C2	$47.90 million	$13.53 million
Segment 3	Alternative B3	$36.48 million	$9.83 million
	Alternative C3	$33.87 million	$7.63 million
Segment 4	Alternative C4 without Option V-1	$10.93 million	$8.34 million
	Alternative C4 with Option V-1	$11.83 million	$9.03 million
	Option V-1 without Alternative C4	$1.04 million	$1.48 million
Segment 5	Alternative B5	$26.68 million	$8.55 million
	Alternative C5	$21.52 million	$6.90 million
Segment 6	Alternative B6	$12.34 million	$5.25 million
	Alternative C6	$12.08 million	$5.14 million

VI. Key Advantages and Disadvantages

This section summarizes advantages and disadvantages among alternatives/options across segments. Note that right-of-way and cost information has been presented above and is not repeated here.

Due to no construction, Alternative A would result in the following:

- Project purpose and need would not be met.
- Traffic congestion and associated noise would continue and likely increase over time.
- Regional economic development or long-term corridor reliability would not be supported.
- Continued reliance on routine maintenance only (no construction resource commitments).
- Emissions (i.e., fugitive dust, criteria pollutants) would increase as traffic volume increases.
- No new earthwork, grading, or ground disturbance.
- No new impervious surfaces added.
- No impacts to wetlands, other waters, floodplains, water resources, or water quality.
- No impacts to vegetation, wildlife habitat, fisheries, or threatened and endangered species.
- No impacts to cultural resources or Section 4(f) properties.
- No hazardous materials disturbance and no construction-related spill risk.
- No changes to visual character or infrastructure.

Across all segments, common differences between Alternative B and Alternative C are:

- Alternative B would have a larger construction footprint than Alternative C.
- Alternative B would have a greater safety benefit from head-on collisions than Alternative C.
- Alternative C would have slightly more new impervious surface area than Alternative B.
- Alternative C would have slightly higher potential for stormwater runoff, erosion, and sedimentation during and after construction.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Across all segments, Alternatives B and C share the following:

- Meet project purpose and need by addressing perceived safety issues, existing and future traffic needs, or social and economic demands.
- Effect determinations for threatened and endangered species:
  - No effect on piping plover, piping plover critical habitat, Rufa red knot, and Dakota skipper critical habitat.
  - May affect, but not likely to adversely affect northern long-eared bat and whooping crane.
  - May affect, and likely to adversely affect Dakota skipper.
- No adverse effect on cultural resources.
- No impacts to sole source aquifers, groundwater resources, drinking water, or source water protection areas.
- Beneficial impact on transportation infrastructure.
- Consistent with goals identified in local, state, and regional plans for transportation and land use.
- Increased temporary demand for construction contractors and local services during construction.
- Roadway would be closer to homes, businesses, and community services, impacting noise and visual environments. Potential reduction in emissions due to increased efficiency of roadway network but may be offset as traffic volumes increase.
- Compliant with 23 CFR 772 for traffic noise; none of the traffic noise impacts identified warrant noise abatement.
- Temporary construction impact on travel patterns, noise environment, and visual environment.
- Temporary and permanent impact on visual resources and viewshed, but generally compatible with existing visual character and no impact on visual quality is expected.
- Potential temporary, short term utility service interruptions during relocations.
- Relocation of one piece of ITS technology.
- No significant demand on energy resources or their availability.
- More efficient flow of traffic during operation with resulting reduced energy consumption.
- No impacts anticipated for species of concern, significant ecological communities, and bald and golden eagles.
- No known hazardous materials sites requiring active mitigation. Potential for minor accidental spills or leaks of hazardous materials used during construction.

Across all segments, Alternative B would have slightly greater impacts on the following than Alternative C due to larger construction footprint:

- Potential to spread noxious weeds during construction.
- Temporary impacts on soil from construction activities: soil compaction, reduced permeability and infiltration capacity, potential for erosion, sedimentation, and/or spills.
- Potential for unanticipated discovery of cultural resources.
- Potential for unanticipated discovery of paleontological resources.
- Potential to impact air quality during construction activities.
- Commitment of resources during construction.
- Potential habitat degradation and fragmentation, avoidance of habitat, barriers to wildlife movement, and wildlife-vehicle collisions due to expansion of the transportation corridor.
- Potential for mortality to species with limited mobility due to construction activities.
- Potential to encounter hazardous materials during construction.
- Longer culvert extensions.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Option V-1 would generally result in the following:

- Safety, mobility, and recreational benefits for pedestrians and bicyclists.
- Additional construction footprint.
- Additional environmental impacts.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Advantages and disadvantages that differ between segments for the build alternatives/option that are not discussed above are presented in ***Table 3, Key Advantages and Disadvantages***.

Table 3, Key Advantages and Disadvantages

Segment	Alternative/Option	Advantages (Compared to other Alternative/Option)	Disadvantages (Compared to other Alternative/Option)
Segment 1	Alternative B1	• Slightly less permanent conversion of prime farmland • Slightly less total linear feet of utility impacts	• More permanent and temporary earthwork impacts • Slightly more temporary easement acquisition • Slightly less permanent conversion of vegetation to roadway • Slightly more impacts to wetland and other waters • Similar work in Special Flood Hazard Areas as Alternative C1 • More permanent habitat conversion • More utility pole removals/relocations
	Alternative C1	• Less permanent and temporary earthwork impacts • Slightly less temporary easement acquisition • Slightly more permanent conversion of vegetation to roadway • Slightly less impact to wetland and other waters • Less permanent habitat conversion • More utility pole removals/relocations	• Slightly more permanent conversion of prime farmland • Similar work in Special Flood Hazard Areas as Alternative B1 • Slightly more total linear feet of utility impacts
Segment 2	Alternative B2	• Less permanent vegetation impacts • Slightly less impact to other waters	• More permanent and temporary earthwork impacts • More permanent conversion of prime farmland • More temporary vegetation impacts • Slightly more impacts to wetlands • More permanent habitat conversion • Similar temporary impacts to Sno-Trails Snowmobile Trail as Alternative C2 and temporary impacts to Sawyer Baseball Diamond • Removal of one building • More utility pole removals/relocations • More total linear feet of utility impacts
	Alternative C2	• Less permanent and temporary earthwork impacts • Less permanent conversion of prime farmland • Less temporary vegetation impacts • Slightly less impacts to wetlands • Less permanent habitat conversion • No impact to Sawyer Baseball Diamond • No building removals • Less utility pole removals/relocations • Less total linear feet of utility impacts	• More permanent vegetation impacts • Slightly more impacts to other waters • Similar temporary impacts to Sno-Trails Snowmobile Trail as Alternative B2

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Segment	Alternative/Option	Advantages (Compared to other Alternative/Option)	Disadvantages (Compared to other Alternative/Option)
Segment 3	Alternative B3	• Less permanent vegetation impacts • Similar grade raise for flood protection as Alternative C3	• More permanent and temporary earthwork impacts • Slightly more permanent conversion of prime farmland • More temporary vegetation impacts • Slightly more impact to wetland and other waters • Impact to Velva flood protection levee • More permanent habitat conversion • Similar temporary impacts to Sno-Trails Snowmobile Trail as Alternative C3 • Removal of one building • Many more utility pole removals/relocations • More total linear feet of utility impacts
	Alternative C3	• Less permanent and temporary earthwork impacts • Slightly less permanent conversion of prime farmland • Less temporary vegetation impacts • Slightly less impact to wetlands and other waters • Similar grade raise for flood protection as Alternative B3 • Less permanent habitat conversion • No building removal • Much less utility pole removals/relocations • Less total linear feet of utility impacts	• More permanent vegetation impacts • Impact to Velva flood protection levee • Similar temporary impacts to Sno-Trails Snowmobile Trail as Alternative B3
Segment 4	Alternative C4 without Option V-1	• Less permanent conversion of prime farmland than Alternative C4 with Option V-1 • Less permanent and temporary earthwork impacts than Alternative C4 with Option V-1 • Less new impervious surface area added than Alternative C4 with Option V-1 • Slightly lower wetland and other water impacts than Alternative C4 with Option V-1 • Slightly less utility pole removals/relocations • Slightly less total linear feet of utility impacts Alternative C4 with Option V-1	• Does not add a pedestrian/bicycle facility that would improve safety and connectivity • More permanent and temporary earthwork impacts than Option V-1 without Alternative C4 • More new impervious surface area than Option V-1 without Alternative C4 • More impact to wetlands and other waters than Option V-1 without Alternative C4 • Conversion of potential habitat • More utility pole removals/relocations than Option V-1 without Alternative C4 • More total linear feet of utility impacts than Option V-1 without Alternative C4 • Temporary impact on Sno-Trails Snowmobile Trail • Impact to Velva flood protection levee

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Segment	Alternative/Option	Advantages (Compared to other Alternative/Option)	Disadvantages (Compared to other Alternative/Option)
	Alternative C4 with Option V-1	• Adds a pedestrian/bicycle facility that would improve safety and connectivity	• More permanent and temporary earthwork impacts than Option V-1 without Alternative C4 and Alternative C4 without Option V-1 • More new impervious surface area than Option V-1 without Alternative C4 and Alternative C4 without Option V-1 • More permanent conversion of prime farmland than Option V-1 without Alternative C4 and Alternative C4 without Option V-1 • More wetland and other water impacts than Option V-1 without Alternative C4 and Alternative C4 without Option V-1 • Conversion of potential habitat • More utility pole removals/relocations than Option V-1 without Alternative C4 and Alternative C4 without Option V-1 • More total linear feet of utility impacts than Option V-1 without Alternative C4 and Alternative C4 without Option V-1 • Impact to Velva flood protection levee • Temporary impact on Sno-Trails Snowmobile Trail
	Option V-1 without Alternative C4	• Adds a pedestrian/bicycle facility that would improve safety and connectivity • Much less permanent and temporary earthwork impacts than Alternative C4 with Option V-1 and Alternative C4 without Option V-1 • Much less new impervious surface area than Alternative C4 with Option V-1 and Alternative C4 without Option V-1 • Much less temporary vegetation impacts than Alternative C4 with Option V-1 and Alternative C4 without Option V-1 • Lowest impact to wetlands and other waters than Alternative C4 with Option V-1 and Alternative C4 without Option V-1 • No habitat conversion • Slightly less utility pole removals/relocations than Alternative C4 with Option V-1 and Alternative C4 without Option V-1 • Much less total linear feet of utility impacts than Alternative C4 with Option V-1 and Alternative C4 without Option V-1 • No impact to Velva flood protection levee	• Does not add roadway capacity • Slightly more impact to prime farmland than Alternative C4 without Option V-1 • Temporary impact on Sno-Trails Snowmobile Trail

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Segment	Alternative/Option	Advantages (Compared to other Alternative/Option)	Disadvantages (Compared to other Alternative/Option)
Segment 5	Alternative B5	• Less permanent vegetation impacts • Less permanent habitat conversion • Slightly less utility pole removals/relocations	• Slightly more permanent and temporary earthwork impacts • Slightly more permanent conversion of prime farmland • More temporary vegetation impacts • Slightly more impact to wetland and other waters • Slightly more total linear feet of utility impacts
	Alternative C5	• Slightly less permanent and temporary earthwork impacts • Slightly less permanent conversion of prime farmland • Less temporary vegetation impacts • Slightly less impacts to wetlands and other waters • Slightly less total linear feet of utility impacts	• More permanent vegetation impacts • More permanent habitat conversion • Slightly more utility pole removals/relocations
Segment 6	Alternative B6	• Same no impact to other waters as Alternative C6 • Less permanent habitat conversion	• Slightly more permanent and temporary earthwork impacts • Slightly more permanent conversion of prime farmland • Slightly more temporary and permanent vegetation impacts • Slightly more impact to wetlands • Similar permanent and temporary impacts to USFWS wetland easements as Alternative C6 • Same utility pole removals/relocations as Alternative C6 • Slightly more total linear feet of utility impacts
	Alternative C6	• Slightly less permanent and temporary earthwork impacts • Slightly less permanent conversion of prime farmland • Slightly less temporary and permanent vegetation impacts • Slightly less impact to wetlands • Same no impact to other waters as Alternative B6 • Slightly less total linear feet of utility impacts	• Similar permanent and temporary impacts to USFWS wetland easements as Alternative B6 • More permanent habitat conversion • Same utility pole removals/relocations as Alternative B6

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

VII. Summary of Public Comments

Public input reflects broad support to move forward with four-laning this section of US Highway 52 in order to address heavy truck traffic and safety, with many commenters favoring a depressed center median for reduced head-on collision risk and safer winter conditions due to easier snow removal. However, several commenters prefer the flush paved center median in all segments to minimize ROW impacts to adjacent landowners, preserve driveways and turn lanes, and provide safer access for emergency vehicles. Several commenters urged a hybrid, segment-by-segment approach due to different constraints (e.g., ROW, safety). Conversely, some opposed four-laning outright as it seems unnecessary with current traffic data and pushed for further studies and discussion, while others sought no-build in specific segments due to property, noise, and quality-of-life impacts.

Others had concerns in specific areas of US Highway 52. In Sawyer, safety is a concern due to the downhill grade, limited sight distance near 2nd Avenue, and a lack of dedicated turn lanes, leading to requests for the depressed center median and access changes where there is limited sight distance. In Velva, some commentors asked to keep the in-town section as-is (i.e., two lanes with center turn lane) and do not want to turn it into a four lane. Many want to prioritize pedestrian safety, including calls for an underpass or at least an enhanced crossing at ND Highway 41, and add a shared-use path on the north side. Multiple requests from unnamed commentors called for a traffic signal, though NDDOT indicated it does not meet warrants today, but could be warranted in the future.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

VIII. Recommendations

Please refer to ***Table 4, Recommendations*** to move forward with recommendations for this project.

Table 4, Recommendations

	1. Do you concur with the project concepts as proposed?	2. Which alternative/option should proceed with the project (choose one per segment)?																	
	Yes/No	Segment 1			Segment 2			Segment 3			Segment 4				Segment 5			Segment 6		
		Alt A	Alt B1	Alt C1	Alt A	Alt B2	Alt C2	Alt A	Alt B3	Alt C3	Alt A	Alt C4 without Opt V-1	Alt C4 with Opt V-1	Opt V-1 without Alt C4	Alt A	Alt B5	Alt C5	Alt A	Alt B6	Alt C6
Office of Project Development	Yes		X			X			X					X			X[1]			X
Office of Operations	Yes		X			X			X				X[2]			X			X	
Bridge Division	Yes		X			X			X					X			X			X
Construction Services Division																				
Design Division	Yes		X[3]			X[4]			X[5]					X[6]			X[7]			X[8]
District	Yes		X			X			X					X			X			X
Environmental and Transportation Services Division	Yes		X			X			X					X			X			X
Local Government Division	Yes		X			X			X					X			X			X
Maintenance Division																				
Materials and Research Division																				
Programming Division	Yes[9]		X			X			X					X			X			X
Planning/Asset Management Division																				
FHWA																				
City of Velva													X							

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Division Comments

1 Generally like the depressed median however it appears that the flush paved median will tie into 2026 work better and does avoid additional impacts.

2 If US 52 is a 4-lane facility then we should keep it 4-lane. If the city doesn't want it through their city or if there are safety concerns, then we should go around the city like we have done with most of our communities on rural 4 lane roadways.

3 Additional ROW was purchased to construct a four-lane divided highway as part of the 1960 grading project extending from south of Minot to the Ward County line (south of Sawyer). It makes sense to construct the ultimate roadway segment that was planned as part of the 1960 grading project. The proposed four-lane depressed median typical section would match the existing four-lane depressed median segment from RP 97 to RP 102 that travels north into Minot. Although additional ROW was purchased for the four-lane divided roadway, 65 acres of permanent ROW will be needed due to the rugged backslopes on the south side of US 52.

4 This 3.57-mile segment also has additional ROW purchased in the 1960's to construct additional lanes south of the existing two-lane roadway for the divided four-lane depressed center median roadway alternate. Twenty-six acres of additional ROW will be needed due to the steep inslopes and backslopes of the river valley. Alt C2 flush paved median typically requires widening on both sides of US 52. This will not work near Sawyer. If Alt C (paved flush median) is chosen, the roadway will require realignment to the south avoid the impacts to the water tower and various properties adjacent to US 52 near Sawyer.

5 This roadway segment requires a grade raise for 2.3 miles of the 3.7-mile segment. It may be less impacts to the traveling public if we construct the 2 new lanes of a divided depressed roadway, shift traffic to the new two-lane roadway, then raise the existing roadway to accommodate the grade raise recommended as part of the Mouse River Enhanced Flood Protection Project. If Alt C3 (paved flush median) if chosen, it may be more difficult to construct the grade raise while maintaining traffic on the same roadway.

6 Many residents of Velva expressed concern with the speeds on US 52 through the city of Velva. Any widening or the addition of any lanes may increase the potential for drivers to use excessive speed in this urban setting that is currently posted at 40 mph. We recommend keeping the existing two 12-foot driving lanes, shared left turn lane, 8' shoulders with curb & gutter roadway segment. This three-lane urban segment though Velva was reconstructed in year 2000 and seems to function well without additional lanes and impacts associated with widening. If the existing three lane roadway is kept, additional right turn lanes should be added for higher volume approaches throughout the city.

7 The paved flush median will tie into the RR acceleration/deceleration lanes, RR crossing expansion, and RR signal replacement project at RP 120.65 that will be constructed in 2026.Alternate B -Divided Four-Lane Highway with a Depressed Center Median requires a lot of roadway realignment and reconstruction to avoid impacts to properties, cultural sites, and a utility substation. Since traffic volumes are substantially less south of Velva, a paved flush median alternate may be more appropriate for both roadway segments southeast of Velva.

8 The flush paved median typical section would tie into the north end railroad acceleration/deceleration crossing improvement (RP 120.65), numerous turn lanes improvements at CF Industries, Dakota Midland Grain, Voltaire, and the eastbound passing lane at the south termini.

9 Concur with the project concepts with the understanding an alternative funding source beyond the regular program funding would be needed to proceed.

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

IX. Executive Decisions

1. Do you concur with the project concepts as proposed?

   __X__Yes

   _____No

2. Which alternative(s)/option should proceed with the project?

   a. Segment 1

      _____Alternative A: No Build

      __X__Alternative B1: Divided Four-Lane Highway with a Depressed Center Median

      _____Alternative C1: Divided Four-Lane Highway with a Flush Paved Center Median

   b. Segment 2

      _____Alternative A: No Build

      __X__Alternative B2: Divided Four-Lane Highway with a Depressed Center Median

      _____Alternative C2: Divided Four-Lane Highway with a Flush Paved Center Median

   c. Segment 3

      _____Alternative A: No Build

      __X__Alternative B3: Divided Four-Lane Highway with a Depressed Center Median

      _____Alternative C3: Divided Four-Lane Highway with a Flush Paved Center Median

   d. Segment 4

      _____Alternative A: No Build

      _____Alternative C4: Divided Four-Lane Highway with a Flush Paved Center Median *without* Option V-1: Shared Use Path

      __X__Alternative C4: Divided Four-Lane Highway with a Flush Paved Center Median *with* Option V-1: Shared Use Path

      _____Option V-1: Shared Use Path *without* Alternative C4: Divided Four-Lane Highway with a Flush Paved Center Median

   e. Segment 5

      _____Alternative A: No Build

      __X__Alternative B5: Divided Four-Lane Highway with a Depressed Center Median

      _____Alternative C5: Divided Four-Lane Highway with a Flush Paved Center Median

   f. Segment 6

      _____Alternative A: No Build

      __X__Alternative B6: Divided Four-Lane Highway with a Depressed Center Median

      _____Alternative C6: Divided Four-Lane Highway with a Flush Paved Center Median

Docusign Envelope ID: 353E36F7-61AD-8E2D-81EC-ABA776CBBD32

Amendments/Comments for Project No. 4-052(109)101

Segment 4 through the City of Velva: Traffic calming design elements should be considered during the design phase to give drivers the feel that they need to reduce speed to coincide with the reduced speed limit.

Matt Linneman

Matt Linneman, P.E., Deputy Director for Engineering — 05/13/26 — Date

Appendix B, Notifications

NDNA
NORTH DAKOTA NEWSPAPER ASSOCIATION

Affidavit of Publication

Katie Foiles, 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 exhibit.

A. Exhibit Attached (Overview):
NDNA Order Number: **26073UN0**
NDNA Invoice Number: **25650**
Description: **Notice of Public Hearing, PCN 24012, US 52 Four Lane Highway Expansion**
Publication(s): **Minot Daily News, Mouse River Journal**
Date published to ndpublicnotices.com: **July 11 and 15, 2026**
Exhibit details publication(s) and run dates published as requested by the placing agency or department; description of published notice.

2. 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.

Dated: July 20, 2026

Signed: _____

Print Name/Title: Katie Foiles, Advertising Placement Coordinator

Notary Public: _____

My commission expires: May 4, 2029

NICOLE HERRIG
NOTARY PUBLIC
SOUTH DAKOTA
SEAL

Minot Daily News CLASSIFIEDS

MinotDailyNewsGetHired.com **701-857-1910** **classads@minotdailynews.com** **MinotDailyNews.com**

301 4TH STREET SE, MINOT, N.D. • HOURS: 8 A.M - 5 P.M. MONDAY - FRIDAY

DEADLINES FOR ADVERTISING: MONDAY-THURSDAY AT 11 A.M. FOR NEXT DAY • FRIDAY AT 11 A.M. FOR WEEKEND • FRIDAY AT 1 P.M. FOR MONDAY • MONDAY AT 10 A.M. FOR TRADING POST

NOTICES

5 Announcements

Equal Housing Opportunity

All real estate advertising in this newspaper is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status/national origin, in the sale, rental or financing of housing or intention to make any such preference, limitation or discrimination.

Familial status includes children under the age of 18 living w/ parents or legal guardians, pregnant women & people securing custody of children under the age of 18.

In addition, North Dakota State Law also prohibits discrimination based on age and satus w/ respect to marriage & public assistance. This paper will not knowingly accept any advertising for real estate which is in violation of the law.

All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis. If you believe you have been discriminated against in connection with the sale, rental or financing of housing, call: North Dakota Fair Housing Council at 701-221-2530 or toll-free 1-888-265-0907. The phone number for the hearing impaired is 1-800-927-9275.

General Advertising Polices

Please review your ad on the 1st day of publication. Any error should be reported immediately as the liability is limited to the first insertion only, and ceases completely if not reported within five days of the publication date. The newspaper's liability shall at no time in any way exceed the cost of the space involved.

We do not accept liability for any other damages which may result from an error or omission in or of an ad. All ad copy must be approved by the newspaper, which reserves the right to request changes, reject or properly classify an ad. We are not liable for slight changes or typographical errors that do not lessen the value of an ad.

The advertiser, and not the newspaper, is responsible for the truthful content of the ad. Advertising is subject to credit approval. A tearsheet will be provided upon request.

All classified ads must be prepaid or credit must be approved prior to advertisement running.

MERCH

50 Wanted To Buy

! A Auto Bent Up ! or Junked. I'll buy! Also Scrap Iron! 240-7453, 240-2147

95 Miscellaneous

FOR SALE
2 burial plots at beautiful Sunset Memorial Gardens
$3500 701-468-5554

Hutterite Chicken And Bacon For Sale
Smoked chicken - $14
Reg. Chicken- $10
Bacon- $7/lb.
Pot pies $12
Call/text to pre-order.
Delivery date: Thurs, JULY 16th; 8:30am at the Knights of Columbus
(701) 720-8772

SUPER SHOPPER SATURDAY

100 Super Shopper Saturday

Blue gliding rocker
$50.00
701-838-1696

Men's brown coveralls w/ quilted lining, large regular, great cond.
$20, 701-240-1463

New Whirlpool micrrowave w/ turntable, never used
$50.00, 701-721-4668

GARAGE RUMMAGE SALES

125 Garage/ Rummage

GARAGE SALE
327 6th St NW
Sat & Sun 9-4pm
kids & womens clothing, furniture, home decor

Garage Sale
3301 Woodside Dr SE
Saturday 8am - 1pm
CASH ONLY
teen boys & girls clothing, toys(some Legos), household items, furniture, & much more!!

JOBS

177 Education

Elem Teachers. Bachelor's in Educ or any rel fld, + ND educ lic. Teach core subjects to elem school students. Salary: $46910/yr. Intvw/Work/CV to: Supt D Sjol, Dunseith PSD 1, 101 2nd St SW, Dunseith, ND 58329.

Kindergarten Teacher sought by White Shield School District (301 Warrior St, Roseglen, ND 58775 to plan & deliver standards-based instruction in early literacy, mathemetics, handwriting, & health using dvlp mentally appropriate teaching strategies for kindergarten students. Min. Bach's deg in Early Childhood Edu or equiv is reqd. Valid North Dakota Educator's Professional License w/ Qualified to Teach provisions in Reading K, Mathematics K, Science K, Languauge Arts K, Health K, & Social Studies K is reqd. Resume: Wanda Belgarde (Superintendent), 301 Warrior St, Roseglen, ND 58755.

Physical Education Teacher sought by White Shield School District (301 Warrior St, Roseglen, ND 58775) to dsgn & implmt structured physical activity prgms, games, & fitness training that dvlp coord'n, strength, endurance, flexibility, & overall physical health, for elementary students. Integrate instruction on health concepts, sportsmanship, & responsible personal & social behavior w/in physical activity settings. Min. Bach's deg in Edu or equiv is reqd. Valid North Dakota Educator's Professional License w/ Qualified to Teach provisions in Physical Edu PK to 8 is reqd. Resume: Wanda Belgarde (Superintendent), 301 Warrior St, Roseglen, ND 58775.

178 Agriculture

Agricultural Operations Lead sought by Feland Brothers Farms in Antler, ND to supervise all aspects of crop production, equipment maintenance, & facility operations across multiple agricultural sites. Req'd: Local travel w/in Bottineau County, ND. FT, Apply to felbros farms@gmail.com

180 Help Wanted Medical

Hospitalists to work full-time for health system in Minot, ND.
Must have medical degree, speciality specific training and ND medical license.
Send CV to Trinity Health 2305 37th Avenue SW Minot, ND 58701 or email to Cambree.Smith@trinityhealth.org

AG

225 Livestock

Hereford Bulls
FOR SALE
Line 1 Cooper Breeding
2 Year Olds
Help with hauling
★ (701) 337-6793 ★
Flath Herefords

235 Farm Machinery

FOR SALE
I.H. (M) tractor with loader, very nice condition, runs good
701-833-6965

FOR SALE
Minneapolis Moline G705
$10,000 OBO
701-770-0295 Williston to see photo
1-406-489-1124

RENTALS

295 Apartments For Rent

RENT ME!
NICE CLEAN 2 Br. SE FREE HEAT/WATER, CALL 240-4293

North Scan STATEWIDE

Services

NEED NEW WINDOWS? Drafty rooms? Chipped or damaged frames? Need outside noise reduction? New, energy efficient windows may be the answer! Call for a consultation & FREE quote today. 1-877-200-2734

ELECTRICAL SERVICES: Reliable & experienced. Competitive rates. From simple household problems to installing a brand new electrical system, we can take care of it all! Call now and have the zip code of the service location when you call! 1-877-403-0282

Struggling with debt? If you have over $15,000 in debt we help you be debt free in as little as 24-48 months. Pay nothing to enroll. Call Now: 1-877-688-0872

Misc for Sale

CA$H PAID FOR HIGH-END MEN'S SPORT WATCHES! Rolex, Breitling, Omega, Patek Philippe, Heuer, Daytona, GMT, Submariner and Speedmaster. These brands only! Call 1-877-297-0556

Autos Wanted

HELP FIND MISSING KIDS and keep kids safe by donating your Car, Truck, Van or SUV to Find the Children. Running or not, no emission test required. Fast free pickup, 24 hr response, May Qualify for Tax Donation. Call 1-877-344-7492

Health/ Medical

VIAGRA and CIALIS USERS! 50 Pills SPECIAL $99.00! 100% guaranteed. CALL NOW! 1-877-682-0124

Misc

WE BUY VINTAGE GUITARS! Looking for 1920-1980 Gibson, Martin, Fender, Gretsch, Epiphone, Guild, Mosrite, Rickenbacker, Prairie State, D'Angelico, Stromberg. And Gibson Mandolins / Banjos. 1-877-405-1221

WE BUY HOUSES FOR CASH AS-IS! No repairs. No fuss. Any condition. Easy process: Call, get cash offer and get paid. Call today for your fair cash offer: 1-701-498-1853

WATER & FIRE DAMAGE RESTORATION. Our trusted professionals will restore your home to protect your family and your home's value! Call 24/7: 1-877-936-0513 Mold Remediation services are also available!

Boats for Sale

2025 18 ft bass buddy suntracker pontoon for sale. 75 hp mercury, bunk trailer. Many other amenities. Call 701 320 0664 for more info.

CROSSWORD

By THOMAS JOSEPH

ACROSS

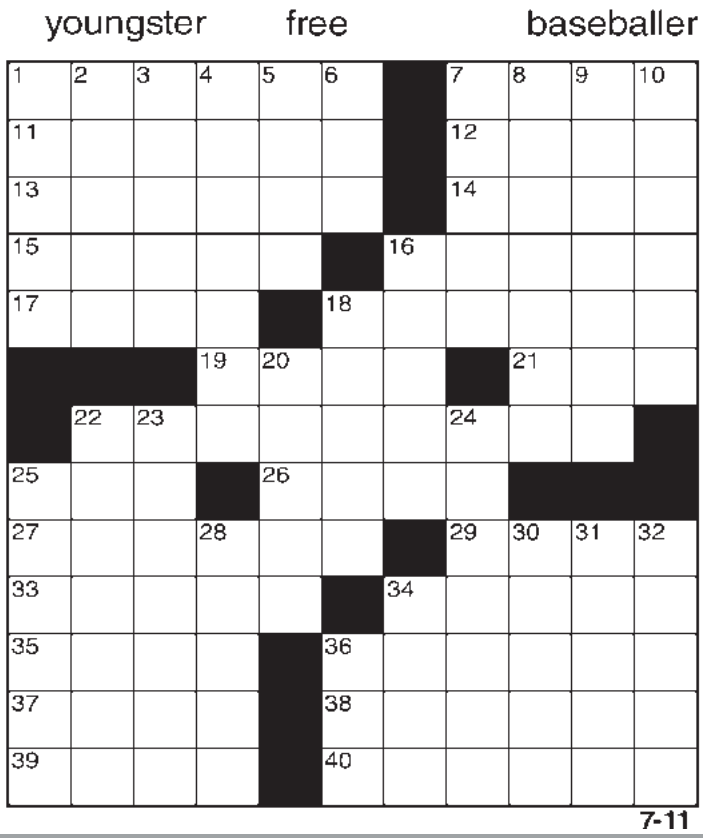
1 Racket sport
7 Agatha Christie, e.g.
11 Mame, for one
12 Geometry calculation
13 Gypsy language
14 Tony winner Diana
15 Peace goddess
16 Sanctioned
17 Cager Archibald
18 So far
19 Notorious emperor
21 Stroller user
22 Racket sport
25 Summer cooler
26 Wild party
27 Canine coat
29 Enthralled
33 Mystery writer's award
34 Raft mover
35 Tabloid fodder
36 Absolutely not, informally
37 Coup d'—
38 Each
39 Colosseum setting
40 Racket sport

DOWN

1 Deadly gas
2 Required numbers
3 Not achieved, as a goal
4 Finished
5 Trig function
6 "You there!"
7 Was bold
8 Tokyo thanks
9 Bomb unit
10 Aerie youngster
16 Canadian birds
18 Ordeal
20 Bit from the fire
22 Old Western villain
23 Servant for taverns, e.g.
24 Add for free
25 Tributary
28 Dull finish
30 Space visitor
31 "My Cousin Vinny" star
32 Grove makeup
34 Church leader
36 D.C. baseballer

S	O	F	A	S	■	M	A	K	E	S
T	R	E	N	T	■	O	V	I	N	E
R	A	N	G	E	■	W	E	L	D	S
E	N	D	■	A	P	E	■	L	I	T
A	G	E	■	M	A	R	■	E	V	E
M	E	R	G	E	R	■	F	R	E	T
■	■	B	E	R	A	T	E	D	■	■
S	T	E	M	■	S	O	N	I	C	S
O	W	N	■	M	O	B	■	L	O	U
A	I	D	■	A	L	A	■	L	A	B
K	N	E	L	L	■	C	B	E	R	S
E	G	R	E	T	■	C	U	R	S	E
R	E	S	T	S	■	O	N	S	E	T

Yesterday's answer



7-11

PUBLIC NOTICES

ATTENTION ALL PROPERTY OWNERS CITY OF MINOT NOTICE TO CUT TALL WEEDS OR GRASS

Property owners in the City of Minot are required to mow weeds or grass, before they exceed 8 inches tall, Under Chapter 22 (Nuisances) of the City of Minot Code of Ordinances.

If the tall weeds or grass on a property is determined to be in excess of 8 inches tall, such weeds or grass must be cut within 48 hours. Additional exemptions are outlined in City Ordinance section 22-9. Otherwise, the City of Minot will arrange for cutting; and the cost of such work will be assessed against the property. No further notice to individual property owners is required under Chapter 22. Any questions regarding tall weeds or grass cutting procedures should Be directed to the Public Works Department at 857-4140

(May 15, 29, June 15, 30, July 15, 31, August 14, 31, September 14, 2026)

Blu Riderz will perform aggregate surfacing and reconditioning on Minuteman Missile roads in Ward County on or about July 15, 2026, and ending on or about July 27,2026.
Affected segments:
142 St SW starting at 303rd Ave SW to Highway 23
And along 303rd Ave SW for .644 miles
Information: Blu Riderz, 701-838-4455
(July 1, 2, 3, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 2026)

Legal Notices run in the Classified Section of the Minot Daily News.

If you have a legal notice that needs to be published, please call our Classified Advertising Department at 857-1920 or online at www.minotdailynews.com "Post Notice" on top bar

PUBLIC INPUT MEETING

The North Dakota Department of Transportation (NDDOT) is hosting public hearings Monday July 27th, 2026 and Tuesday July 28th, 2026, from 5 to 7 p.m. Central Time to discuss proposed improvements to US Highway 52, from Minot (approximately 2.3 miles west of Junction 79th Ave SE) to Voltaire.

The hearings will be held at the Sleep Inn and Suites, Theater Room, 2400 10th Street SW in Minot, ND on July 27th, and Velva City Hall, 101 1st St W in Velva, ND on July 28th. The same materials will be presented at each hearing. There will be an open house format with a formal presentation at 5:30 to 6:00 p.m.

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway.

Representatives from the NDDOT and Ulteig will be on hand to answer questions and discuss concerns.

A pre-recorded presentation and other materials will be available on the NDDOT website at www.dot.nd.gov/public-input. The pre-recorded presentation will be published on July 27th.

If unable to attend the meeting, written comments must be postmarked or emailed by August 12th, 2026 with "Public Hearing - PCN 24012" in the letter heading or e-mail subject. Send all comments to Mike Huffington at 3350 38th Ave S, Fargo, ND 58104, or mike.huffington@ulteig.com.

The Environmental Assessment (EA) is available for public inspection at the NDDOT Minot District Office, 1305 Highway 2 Bypass East, Minot, ND 58701, and at the information desk of the NDDOT Central Office, 608 East Boulevard Avenue in Bismarck. An electronic copy of the EA is also available online at https://www.dot.nd.gov/us-highway-52.

The NDDOT will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities. Language interpretation and translation services will be available upon request for this meeting.

To request accommodations, contact Heather Christianson, 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.

(July 11, 2026)

Legals Your Right to Know

OFFICIAL PROCEEDINGS OF THE MCHENRY COUNTY BOARD OF COMMISSIONERS JUNE 2, 2026 9:00 AM

Chairman Anderson called the meeting to order. Commissioners Lance Johnson, Bryan Bruner, David Schmitt, Brady Nelson and Armann Anderson present. Also present was Matthew Petersen.

A motion was made by Johnson and seconded by Nelson to approve the May 5th minutes. Motion carried unanimously.

Frank Anderson with RDO Equipment met with the board to discuss motorgrader options.

The board discussed the situation with the canine. It was not advertised in the paper as the Sheriff's Department wanted to offer it to law enforcement agencies throughout the state. No offers were received. A motion was made by Nelson and seconded by Schmitt to advertise the dog in the paper. Motion carried unanimously.

Lesley Jones, Holly Christianson and NDSU District Director, Shana Forster met with the board regarding the Memorandum of Understanding presented to them at the May meeting. Shana explained the MOU is stipulating the child car seat safety services cannot be performed in the NDSU Extension Office and the services cannot be represented as an NDSU extension event. Commissioner Nelson expressed his concern with this being perceived as a county service and would rather see it handled through the Bottineau Ambulance District, who paid the registration for the class, or First District Health. The board would like to meet with Holly to develop a clear understanding of what will be allowed during compensatory time.

Alex Thompson with Central Specialties, Inc met with the board regarding information stating they were mining product in Section 36-153-80 without a conditional use permit. Thompson clearly stated no mining was being performed, as the sand had been previously hauled in and they were just hauling it out. The site was being used strictly for storage. A motion was made by Schmitt and seconded by Bruner to approve a storage site only and that no material can be removed. Commissioners Schmitt, Bruner, Johnson and Anderson voting aye. Commissioner Nelson voting nay. Motion carried.

Steve Jacobson joined the meeting. The board reviewed the conditional use applications from B&J Excavating for the following gravel pits: Neuhalfen pit located in the N ½ of Section 3-154-79 and the Gange pit located in the NW ¼ of Section 12-153-78. A motion was made by Nelson and seconded by Bruner to approve the CUP for the Gange pit. Motion carried unanimously. A motion was made by Bruner and seconded by Nelson to approve the road use agreement with B&J for use of county roads. Motion carried unanimously. A motion was made by Schmitt and seconded by Nelson to approve the CUP for the Neuhalfen pit. Motion carried unanimously.

Knife River representatives met with the board to discuss changes to the haul road agreement for Co Rd 19. They asked if the board would consider allowing them to haul legal loads up to 105,500 with the appropriate axle configurations, if Knife River would be responsible for the full cost of the gravel. They would also be willing to place dust suppressant where needed. The board requested they send the county a written proposal and the board will review it.

Jason Mayfield, Steve Jacobson and a Knife River representative were in attendance for the opening of the bids for the Special Road fund projects on roads leading to Buffalo Lodge and George Lake. Bids were received from B&J Excavating, C3 Energy Partners and Strata/Knife River. A motion was made by Nelson and seconded by Johnson to reject all bids. Motion carried unanimously. A motion was made by Nelson and seconded by Bruner to readvertise the projects individually rather than combined as soon as possible. Motion carried unanimously.

The board recessed for lunch.

Tax Director, Kristi Brodehl and township assessor Doris Holen joined the meeting.

A motion was made by Bruner and seconded by Schmitt to recess as a Board of Commissioners and reorganize as a Board of Equalization. Motion carried unanimously.

The board reviewed the city assessments. A motion was made by Nelson and seconded by Bruner to approve the city assessments as presented. Motion carried unanimously.

The board reviewed the organized township assessments. A motion was made by Schmitt and seconded by Bruner to approve the township assessments as presented. Motion carried unanimously.

The board reviewed the assessor adjustments to the following Velva City parcels made after the city equalization meeting: Veteran Credit on parcel 55-30-11245, Homestead Credit on parcel 55-8008-2047, clerical error on 55-11-10975 where a value was removed and it should have remained on.

The board reviewed the following assessor adjustments made after the township equalization meetings on the following parcels: 4-645, 6-1064-1, 13-2490-2, 13-2490-1.

A motion was made by Bruner and seconded by Schmitt to approve the adjustments made to the assessments after the city and township equalization meetings. Motion carried unanimously.

A motion was made by Schmitt and seconded by Bruner to make no adjustments to the ag land values for 2026. Motion carried unanimously.

A motion was made by Bruner and seconded by Schmitt to recess as a Board of Equalization and reorganize as a Board of Review for the unorganized townships. Motion carried unanimously. The board reviewed the assessments, farm residence exemptions, veteran's credit and homestead credits for the unorganized townships. A motion was made by Nelson and seconded by Schmitt to approve the changes as presented. Motion carried unanimously. A motion was made by Nelson and seconded by Johnson to approve the Homestead Credits. Motion carried unanimously. A motion was made by Nelson and seconded by Bruner to approve the Veteran Credits. Motion carried unanimously. A motion was made by Bruner and seconded by Nelson to approve the Farm Residence Exemptions. Motion carried unanimously.

A motion was made by Nelson and seconded by Johnson to adjourn as a Board of Review and reorganize as a Board of Equalization. Motion carried unanimously. A motion was made by Bruner and seconded by Johnson to accept the changes for the unorganized townships. Motion carried unanimously. The board questioned the valuation placed on the data center. The assessor will return to the meeting with the determined value. A motion was made by Johnson and seconded by Bruner to adjourn as a Board of Equalization and reconvene as a Board of Commissioners. Motion carried unanimously.

A motion was made by Schmitt and seconded by Bruner to send payment for the following outstanding checks to unclaimed property: 1582, 1912, 80576, 80606, 80619, 80626, 85615. Motion carried unanimously.

A motion was made by Nelson and seconded by Bruner to reissue lost instrument #90035. Motion carried unanimously.

A motion was made by Nelson and seconded by Johnson to approve abatement #1704. Commissioners Johnson, Nelson, Anderson and Bruner voting aye. Commissioner Schmitt voting nay. Motion carried.

A motion was made by Bruner and seconded by Johnson to approve the special event permit for The Rafter Bar for an event on September 26, 2026 and Finishline Burgers and Brew for an event on June 27, 2026. Motion carried unanimously.

A motion was made by Schmitt and seconded by Bruner to approve the utility permit for Verendrye Electric bore under Co Rd 10 between sections 26/27 in 152-76, just south of 38th St NE. Motion carried unanimously.

Doris Holen presented the data center value to the board. A motion was made by Bruner and seconded by Schmitt to recess as a Board of Commissioners and reorganize as a Board of Equalization. Motion carried unanimously. A motion was made by Nelson and seconded by Bruner to approve the added value for the data center. Motion carried unanimously. A motion was made by Nelson and seconded by Schmitt to adjourn as a Board of Equalization and reconvene as a Board of Commissioners. Motion carried unanimously.

The board discussed the right-of-way spraying performed by the weed board and questioned the rotation.

A motion was made by Bruner and seconded by Schmitt to purchase a disk for the Drake blade and six C-springs. Motion carried unanimously.

The board discussed the current situation pertaining to outside employment and using county equipment, which is against county policy.

Commissioner Bruner left the meeting.

A motion was made by Johnson and seconded by Schmitt to advertise for a new blade for the July meeting. Motion carried unanimously. Bruner absent.

A consent motion was made by Johnson and seconded by Nelson to approve the following: Treasurer's Miscellaneous Receipts #51391-51489; the monthly payroll in the amount of $198,534.95; County Recorder May recording fees of $3,847.00 and misc fees of $355.43; Sheriff May statement of fees $690.00, Sheriff mileage $500.00.

The board continued to audit bills until completed. A motion was made by Nelson and seconded by Schmitt that the following bills be approved and the proper checks be issued thereof:

CHK#	VENDOR	AMOUNT
93058	Amazon Capital Services	91.66
93059	Bag LLC	260.12
93060	Bottineau County Sheriff Office	2,445.00
93061	Brian Vollmer	221.85
93062	Bryan Bruner	300.88
93063	Butler Machinery Co	22.53
93064	Cenex Fleetcard	4,859.27
93065	Dakotah Paper Company	243.76
93066	Darlene Carpenter	262.99
93067	David Schmitt	240.70
93068	Dirty Dog Digging Trucking	3,500.00
93069	DK Service	5,232.66
93070	DMC Wear Parts	27,646.35
93071	Domestic Violence Crisis Center	312.30
93072	Drake City	63.75
93073	Election System Software	8,003.72
93074	Enerbase	255.84
93075	Envision Cooperative	403.15
93076	Everspring Suites-Bismarck	220.00
93077	First District Health Unit	28,197.00
93078	Granville City	84.06
93079	HACTC	25,618.50
93080	Heart Of America Medical Ctr	4,791.75
93081	Heartland Market	43.00
93082	Holly Christianson	43.55
93083	Ihry Insurance Agency Inc	3,119.00
93084	Information Technology Dept	1,391.20
93085	Jerome Suchor	450.00
93086	John Deere Financial	126.90
93087	Karlsruhe City	3,325.00
93088	Kathryn Slavick	351.29
93089	Lesley Jones	512.90
93090	Linde Gas Equipment Inc	111.34
93091	Lorinda K Haman	340.87
93092	Lynn Stone	23.00
93093	Matthew Bender Co Inc	96.81
93094	McHenry County Treasurer	223.20
93095	Menards	1,025.37
93096	Minot Auto Supply	15.00
93097	Mouse River Oil Co	5,329.80
93098	ND Association of Counties	89.40
93099	NDSU-Dept 3110	447.22
93100	Nelsons Automotive Center	92,100.26
93101	Newman Signs Inc	3,124.54
93102	Newport Township	114.20
93103	Northside Autobody and Repair	11,888.19
93104	Nutrien Ag Solutions Inc	223,363.00
93105	Office Depot Inc	144.22
93106	OK Tire Store Minot	518.32
93107	Otis Elevator Company	175.00
93108	Otter Tail Power Co	2,991.52
93109	PowerPlan OIB	2,131.45
93110	Pratt Township	113.02
93111	PRIA	60.00
93112	Ralph's Plumbing Heating Inc	3,336.37
93113	Ray Allen Manufacturing	121.00
93114	Running Supply Inc	27.98
93115	RV Enterprises	3,627.00
93116	SKM Collections Division	200.00
93117	Smette Oil Co	4,819.48
93118	SRT Communications Inc	850.04
93119	Streicher's	599.00
93120	Thomas Severin	2,216.87
93121	Thompson-Larson Funeral Home	725.00
93122	Timothy Schmidt	100.00
93123	Tina Powell	23.00
93124	Top Notch Upholstery	250.00
93125	Towner City	393.39
93126	Towner Health & Wellness	832.00
93127	Tractor Supply Credit Plan	274.27
93128	Transunion Risk Alternative	110.00
93129	Trey Skager	110.00
93130	Trinity Medical Group	1,384.00
93131	Tyler Technologies Inc	504.50
93132	United Laboratories Inc	413.81
93133	Verizon	794.92
93134	Wagar Township	18.37
93135	Ward County	8,650.00
93136	Ziegler Oil Co.	103.00
93137	Verendrye Electric Cooperative	332.71

At 4:10 PM, there being no further business to come before the board at this time, a motion was made by Schmitt and seconded by Johnson to adjourn. Motion carried unanimously.

ATTEST: Darlene Carpenter, Auditor/Treas.

APPROVED: Armann Anderson, Chairman

(July 15, 2026)

Donation

(Continued from Page 1)

communities thrive through both financial services and community investment initiatives.

The addition of the 2018 Freightliner will enhance the Upham Fire Protection District's ability to respond to emergencies and continue providing critical fire protection services to local residents, businesses, and surrounding rural areas.

Upham Fire Supporters Inc. extends its sincere appreciation to AgCountry Farm Credit Services for its generosity and commitment to supporting emergency services in rural North Dakota.

About Upham Fire Supporters Inc.

Upham Fire Supporters Inc. is a nonprofit organization dedicated to supporting the Upham Fire Protection District through fundraising, grant opportunities, and community partnerships. The organization works to secure funding for equipment purchases, facility improvements, and firefighter safety initiatives that strengthen emergency response capabilities throughout the district.

Gange earns spot on M State deans list

Minnesota State Community and Technical College (M State) has named 922 students to its President's List and 742 students to its Dean's List for the spring 2026 semester.

Students on the President's List earned a grade point average of 4.0 while completing a minimum of six college-level credits and 75% of the courses in which they enrolled for the semester.

Students on the Dean's List earned a grade point average of 3.5 to 3.99 while completing a minimum of six college-level credits and 75% of the courses in which they enrolled for the semester.

Local students named to the spring 2026 M State President's List and Dean's List are: Kendra Gange, of Karlsruhe, Graphic Design-Diploma, President's List

A member of the Minnesota State system of colleges and universities, M State (Minnesota State Community and Technical College) serves more than 10,000 students in credit and non-credit courses each year in over 70 career and liberal arts programs online and in-person at its four campuses in Detroit Lakes, Fergus Falls, Moorhead and Wadena. The college also partners with communities to provide workforce development services and other responsive training programs to 500 businesses and thousands of annual participants.

PUBLIC INPUT MEETING

The North Dakota Department of Transporta on (NDDOT) is hos ng public hearings Monday July 27th, 2026 and Tuesday July 28th, 2026, from 5 to 7 p.m. Central Time to discuss proposed improvements to US Highway 52, from Minot (approximately 2.3 miles west of Junc on 79th Ave SE) to Voltaire.

The hearings will be held at the Sleep Inn and Suites, Theater Room, 2400 10th Street SW in Minot, ND on July 27th, and Velva City Hall, 101 1st St W in Velva, ND on July 28th. The same materials will be presented at each hearing. There will be an open house format with a formal presentation at 5:30 to 6:00 p.m.

The project is studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway.

Representa ves from the NDDOT and Ulteig will be on hand to answer ques ons and discuss concerns.

A pre-recorded presenta on and other materials will be available on the NDDOT website at www.dot.nd.gov/public-input. The pre-recorded presenta on will be published on July 27th.

If unable to a end the mee ng, wri en comments must be postmarked or emailed by August 12th, 2026 with "Public Hearing - PCN 24012" in the le er heading or e-mail subject. Send all comments to Mike Huffington at 3350 38th Ave S, Fargo, ND 58104, or mike.huffington@ulteig.com.

The Environmental Assessment (EA) is available for public inspec on at the NDDOT Minot District Office, 1305 Highway 2 Bypass East, Minot, ND 58701, and at the informa on desk of the NDDOT Central Office, 608 East Boulevard Avenue in Bismarck. An electronic copy of the EA is also available online at https://www.dot.nd.gov/us-highway-52.

The NDDOT will consider every request for reasonable accommoda on to provide an accessible mee ng facility or other accommoda on for people with disabili es. Language interpreta on and transla on services will be available upon request for this meeting.

To request accommoda ons, contact Heather Chris anson, 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.

McHenry County Church Service Directory

ANAMOOSE

St. Francis Xavier's Catholic Church; Rev. Tom Graner, stfx@gondtc.com; 1st & 5th Sundays of the month 8 am'2nd Sunday of the month 10:30 am'3rd & 4th Sundays of the month 5 pm Saturday evening; 5th Sunday of the month 8 am

United Community Baptist Church
Tom Houck, Pastor
Sunday School 9:00 a.m.
Worship Service 10:00 a.m.

St. Martin Lutheran
Reverend Tim Stout
Service @ 9 am, with Sunday School & Bible study at 8:00am
Communion: 1st & 3rd Sun.

DEERING

Deering Lutheran Congregation
Pastor David Myers (240-4225) Bethany (838-5196); Lay Pastor Daniel Bauder; Organist Diane Mogard
Sunday Worship: 11:15a.m;
Sunday School 10:15 a.m.

DRAKE

United Methodist
Ph #: 465- 3757
Worship Service: 8:30 am

Trinity Lutheran
Worship service-9:30am every Sunday

St. Margaret Mary's Catholic Church
Rev. Tom Graner, 1st & 2nd Sundays of the month 5 pm Saturday evening' 3rd Sunday of the month 8 am; 4th & 5th Sundays of the month 10:30 am

GRANVILLE

Hope Congregational United Church of Christ
Rev Cheryl McCullough
Sunday Worship: 10am; Women's Guild: 2nd Sunday of month

First Lutheran Church of Granville
Guest Speaker
Sun. Worship Service:9:00 am

KARLSRUHE

Sts. Peter & Paul Catholic Church
Rev. Jered Grossman
Sunday Mass: 8:30am

KIEF

Liberty Baptist Church
Pastor Steve Martin
Sunday Worship: 10:00 am; Sunday School 9:00 am

KONGSBERG

St. John's Lutheran
Reverend Tim Stout Sunday Service: 10am; Bible Study 11am

NORWICH

Norwich Lutheran Church
Interim Pastor Ben Carlsen
Sun.Worship Service: 11 am; Handicapped Accessible. WELCA: 1st Thursday of the month at 2pm

Church of The Nazarene
Sunday School: 10:00 am; Morning Worship: 11:00 am; Evening Worship 7:00 pm;

TOWNER

The Church of St. Cecilia
Rev. Michael Schommer
Mass: Sat.: 5:00 pm.
Sun. 10am Reconciliation: Sat. 4:30pm

Presbyterian Church
Sunday Church services at 9:30am
Presbyterian Women meet 2nd Wednesday at 1:30.

Zion Lutheran Church
Sunday school at 9:00 am
Worship 10:00 am

Faith Lutheran Church (LCMS)
Pastor Jonathon Bonine
Sunday Adult Bible Study: 7:30am-8:00am
Sunday Worship: 8:00am
Sunday School: 9:30am
Adult Bible Study: Thursdays at 6:30pm, until further notice

UPHAM

New Hope Lutheran
9:30 am worship
Sunday School 10:00 am

Bethlehem St. John Missouri Synod Church Adult Bible Class 9:45, Sunday School 9:45, Church services 11:00am.

VELVA

Oak Valley Lutheran
Worship 5:30 pm, Saturday evening
10am Sunday morning.

Velva United Methodist
Geoff Hilton, Pastor
Sundays: Worship Service 10:30 a.m.; Junior Church during Sermon for children ages 6 and younger; Wednesdays: Midweek Ministries 6:30-7:30 p.m. PreK-1st grade and 2nd-4th grades at the church, grades 5th-6th and Confirmation classes at Velva City Hall.

St. Cecilia's Catholic Church
Rev. Jered Grossman
Saturday 5PM/ Sunday 10:30 AM

WILLOW CITY

1st Presbyterian Church
No Church Services
Presbyterian Women @ 10:00 am on 3rd Wednesday unless notified.

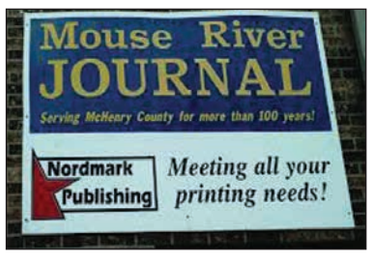
Immanuel Lutheran Church
Rev. Christopher Neuendorf
Worship Service at 9:30a.m.

First Lutheran Church
11 am church services.

Notre Dame Catholic Church
1st and 4th Suns., Sat. Evening at 5:00pm; 2nd Sun. at 11:00am; 3rd and 5th Sun. at 9:00am. Weekday Mass is Thursday at 9:00am.

Please email corrections to the McHenry County Church Directory to mrjads@srt.com or mail them to PO Box 268 Towner ND 58788.

McHenry County Church Directory Sponsored By:



Van Dorsten, Manda M.

From: North Dakota Department of Transportation <nddot@info.nd.gov>
Sent: Tuesday, July 21, 2026 1:51 PM
To: Van Dorsten, Manda M.
Subject: NDDOT to hosts public hearings for Highway 52 four lane project

View as a webpage / Share

NORTH Dakota | Transportation
Be Legendary.

NEWS RELEASE | FOR IMMEDIATE RELEASE | July 21, 2026

NDDOT to hosts public hearings for Highway 52 four lane project

BISMARCK, N.D. — The North Dakota Department of Transportation is hosting public hearings Monday July 27 and Tuesday July 28 from 5 to 7 p.m. Central Time to discuss proposed improvements to U.S. Highway 52 from Minot to Voltaire.

The hearings will be held at the Sleep Inn and Suites, Theater Room, 2400 10th Street Southwest in Minot on July 27, and Velva City Hall, 101 1st Street West in Velva on July 28. The same materials will be presented at each hearing. There will be an open house format with a formal presentation from 5:30 to 6:00 p.m.

The project is studying the expansion of U.S. 52 from a two-lane highway to a four-lane highway from Minot, approximately 2.3 miles west of Junction 79th Avenue Southeast, to Voltaire.

Representatives from the NDDOT and Ulteig will be on hand to answer questions and discuss concerns.

A pre-recorded presentation and other materials will be available on the NDDOT website at www.dot.nd.gov/us-highway-52.

If unable to attend the meeting, written comments must be postmarked or emailed by August 12, 2026, with “Public Hearing - PCN 24012” in the letter heading or e-mail subject. Send all comments to Mike Huffington at 3350 38th Ave. S., Fargo, ND 58104, or mike.huffington@ulteig.com.

The Environmental Assessment (EA) is available for public inspection at the NDDOT Minot District Office, 1305 Highway 2 Bypass East, Minot, ND 58701, and at the information desk of the NDDOT Central Office, 608 East Boulevard Avenue in Bismarck. An electronic copy of the EA is also available online at www.dot.nd.gov/us-highway-52.

The NDDOT will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities. Language interpretation and translation services will be available upon request for this meeting.

To request accommodations, contact Heather Christianson, 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.

###

CONTACT:

David Finley
drfinley@nd.gov
701-328-4444

Sarah Arntson
sararntson@nd.gov
701-328-6965

Nicole Peske
nipeske@nd.gov
701-328-4322

Website | Contact us

SUBSCRIBER SERVICES:
Manage Subscriptions | Unsubscribe All | Help

This email was sent to mmbailey@nd.gov using Granicus Communications Cloud on behalf of: North Dakota Department of Transportation · 608 Boulevard Avenue· Bismarck, ND 58505 · 1-855-637-6237

GRANICUS Communications

North Dakota Department of Transportation - Bulletin D...

GRANICUS Communications

Subject:	NDDOT to hosts public hearings for Highway 52 four lane project
Sent:	07/21/2026 01:50 PM CDT
Sent By:	pagewatcher@govdelivery.com
Sent To:	Subscribers of Minot District News Releases

669 Recipients

- ✓ Email
- ✓ SMS
- ✗ Facebook
- ✗ Twitter
- ✓ RSS

96% Delivered

0% Pending
4% Bounced
17% Open Rate
4% Click Rate

Email Delivery Stats

Minutes	Cumulative Attempted
3	96%
5	97%
10	99%
30	99%
60	99%
120	99%

Delivery Metrics - Details

669	Total Sent
641 (96%)	Delivered
0 (0%)	Pending
28 (4%)	Bounced
0 (0%)	Unsubscribed

Bulletin Analytics

135	Total Opens
68 (17%)	Unique Opens
38	Total Clicks
16 (4%)	Unique Clicks
15	# of Links

Delivery and performance

These figures represent all data since the bulletin was first sent to present time.

	Progress	% Delivered	Recipients	# Delivered	Opened Unique	Bounced/Failed	Unsubscribes
Email Bulletin	Delivered	96.3%	376	362	56 / 15.5%	14	0
Digest	n/a	n/a	46	46	12 / 26.1%	0	0
SMS Message	Delivered	94.3%	247	233	n/a	14	n/a

Link URL	Unique Clicks	Total Clicks
https://www.dot.nd.gov/highway-52-four-lane-study	6	28
https://content.govdelivery.com/accounts/NDDOT/bulletins/4217409	4	4
https://forms.nd.gov/231086560478865	3	3
https://www.dot.nd.gov/	3	3
https://public.govdelivery.com/accounts/NDDOT/subscriber/one_click_unsubscribe?verification=%5B%5BVERIFICATION%5D%5D&destination=%5B%5BEMAIL_ADDRESS%5D%5D	0	0
https://twitter.com/NorthDakotaDOT	0	0
https://www.facebook.com/nddot	0	0
https://public.govdelivery.com/accounts/NDDOT/subscriber/edit?preferences=true#tab1	0	0
https://www.linkedin.com/company/north-dakota-department-of-transportation?trk=ppro_cprof	0	0
https://granicus.com/solution/digital-communication-engagement/	0	0
https://www.youtube.com/user/NDDOTOnline	0	0
https://www.instagram.com/northdakotadot/	0	0
http://public.govdelivery.com/accounts/NDDOT/subscribers/new	0	0
https://subscriberhelp.govdelivery.com/	0	0

########	Account =	Bulletin = NDDOT to hosts public hearings for Highway 52 four lan
Destinatior	Delivery St	Failure Me Total Oper Total Click Click Summary
1.2E+10	Delivered	N/A N/A
1.2E+10	Delivered	N/A N/A
1.2E+10	Delivered	N/A N/A
1.2E+10	Delivered	N/A N/A
1.2E+10	Delivered	N/A N/A
1.2E+10	Delivered	N/A N/A
1.2E+10	Delivery Fa	Conflict Oc N/A N/A
1.21E+10	Delivered	N/A N/A
1.21E+10	Delivered	N/A N/A
1.21E+10	Delivered	N/A N/A
1.21E+10	Delivered	N/A N/A
1.22E+10	Delivered	N/A N/A
1.22E+10	Delivered	N/A N/A
1.23E+10	Delivered	N/A N/A
1.24E+10	Delivered	N/A N/A
1.25E+10	Delivered	N/A N/A
1.25E+10	Delivered	N/A N/A
1.25E+10	Delivered	N/A N/A
1.25E+10	Delivery Fa	Conflict Oc N/A N/A
1.26E+10	Delivered	N/A N/A
1.27E+10	Delivered	N/A N/A
1.28E+10	Delivered	N/A N/A
1.3E+10	Delivered	N/A N/A
1.3E+10	Delivered	N/A N/A
1.3E+10	Delivered	N/A N/A
1.3E+10	Delivered	N/A N/A
1.31E+10	Delivered	N/A N/A
1.31E+10	Delivered	N/A N/A
1.31E+10	Delivered	N/A N/A
Network su	Delivered	N/A N/A
1.31E+10	Delivered	N/A N/A
1.31E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
1.32E+10	Delivered	N/A N/A
Network su	Delivered	N/A N/A
1.34E+10	Delivered	N/A N/A
1.34E+10	Delivered	N/A N/A
1.34E+10	Delivered	N/A N/A
1.34E+10	Delivered	N/A N/A

1.34E+10	Delivered	N/A	N/A
1.34E+10	Delivered	N/A	N/A
1.35E+10	Delivered	N/A	N/A
1.35E+10	Delivered	N/A	N/A
1.35E+10	Delivered	N/A	N/A
1.35E+10	Delivered	N/A	N/A
1.35E+10	Delivered	N/A	N/A
1.39E+10	Delivered	N/A	N/A
1.39E+10	Delivered	N/A	N/A
1.4E+10	Delivered	N/A	N/A
1.4E+10	Delivered	N/A	N/A
1.4E+10	Delivered	N/A	N/A
1.4E+10	Delivered	N/A	N/A
1.4E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.41E+10	Delivered	N/A	N/A
1.42E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.43E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.44E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.44E+10	Delivered	N/A	N/A
1.5E+10	Delivered	N/A	N/A
1.5E+10	Delivered	N/A	N/A
1.51E+10	Delivered	N/A	N/A
1.51E+10	Delivered	N/A	N/A
1.51E+10	Delivered	N/A	N/A
Network su	Delivery Fa	Conflict Oc	N/A	N/A
1.52E+10	Delivered	N/A	N/A
1.52E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.52E+10	Delivered	N/A	N/A
1.53E+10	Delivered	N/A	N/A
1.53E+10	Delivered	N/A	N/A
1.54E+10	Delivered	N/A	N/A
1.57E+10	Delivered	N/A	N/A
1.58E+10	Delivered	N/A	N/A
1.58E+10	Delivered	N/A	N/A
1.59E+10	Delivered	N/A	N/A
1.61E+10	Delivered	N/A	N/A
1.61E+10	Delivered	N/A	N/A
1.61E+10	Delivered	N/A	N/A
1.61E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.61E+10	Delivery Fa	Conflict Oc	N/A	N/A

1.61E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.61E+10	Delivered		N/A	N/A
1.62E+10	Delivered		N/A	N/A
1.62E+10	Delivered		N/A	N/A
1.62E+10	Delivered		N/A	N/A
1.63E+10	Delivered		N/A	N/A
1.64E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.65E+10	Delivered		N/A	N/A
1.66E+10	Delivered		N/A	N/A
1.66E+10	Delivered		N/A	N/A
1.66E+10	Delivered		N/A	N/A
1.68E+10	Delivered		N/A	N/A
1.68E+10	Delivered		N/A	N/A
1.68E+10	Delivered		N/A	N/A
Network su	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
Network su	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A
1.7E+10	Delivered		N/A	N/A

1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
Network su	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
Network su	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.7E+10	Delivered	N/A	N/A
1.71E+10	Delivery Fa	Conflict Oc	N/A	N/A
1.71E+10	Delivered	N/A	N/A
1.71E+10	Delivered	N/A	N/A
1.71E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.72E+10	Delivered	N/A	N/A
1.74E+10	Delivered	N/A	N/A
1.74E+10	Delivered	N/A	N/A
1.76E+10	Delivered	N/A	N/A
1.76E+10	Delivered	N/A	N/A
1.76E+10	Delivered	N/A	N/A
Network su	Delivered	N/A	N/A
1.8E+10	Delivered	N/A	N/A
1.8E+10	Delivered	N/A	N/A
1.8E+10	Delivered	N/A	N/A
1.8E+10	Delivered	N/A	N/A
1.8E+10	Delivered	N/A	N/A
1.81E+10	Delivered	N/A	N/A
1.81E+10	Delivered	N/A	N/A
1.81E+10	Delivered	N/A	N/A
1.81E+10	Delivered	N/A	N/A

1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.82E+10	Delivered	N/A	N/A
1.83E+10	Delivery F	Conflict Oc	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.83E+10	Delivered	N/A	N/A
1.84E+10	Delivered	N/A	N/A
1.85E+10	Delivered	N/A	N/A
1.85E+10	Delivered	N/A	N/A
1.86E+10	Delivered	N/A	N/A
1.86E+10	Delivered	N/A	N/A
1.88E+10	Delivered	N/A	N/A
1.9E+10	Delivered	N/A	N/A
1.91E+10	Delivered	N/A	N/A
Network s	Delivered	N/A	N/A
1.91E+10	Delivered	N/A	N/A
1.91E+10	Delivered	N/A	N/A
1.91E+10	Delivered	N/A	N/A
1.91E+10	Delivered	N/A	N/A
1.92E+10	Delivered	N/A	N/A
1.92E+10	Delivered	N/A	N/A
1.92

1.92E+10	Delivered		N/A	N/A
1.92E+10	Delivered		N/A	N/A
1.92E+10	Delivered		N/A	N/A
1.93E+10	Delivered		N/A	N/A
1.93E+10	Delivered		N/A	N/A
1.93E+10	Delivered		N/A	N/A
1.93E+10	Delivered		N/A	N/A
1.93E+10	Delivered		N/A	N/A
1.93E+10	Delivered		N/A	N/A
1.95E+10	Delivered		N/A	N/A
1.95E+10	Delivered		N/A	N/A
Network su	Delivered		N/A	N/A
1.95E+10	Delivered		N/A	N/A
1.96E+10	Delivered		N/A	N/A
1.97E+10	Delivered		N/A	N/A
1.98E+10	Delivered		N/A	N/A
1.98E+10	Delivered		N/A	N/A
1.98E+10	Delivered		N/A	N/A
1.98E+10	Delivered		N/A	N/A
Network su	Delivered		0	0
Network su	Delivered		0	0
4ace.truckı	Delivered		2	0
Network su	Delivered		0	0
a.praus@b	Delivered		19	0
aaronaberı	Delivered		0	0
adam.knuc	Delivered		3	0
Network su	Delivered		0	0
affirmcustc	Delivered		0	0
ajjjsm@nd	Delivered		0	0
aliblab@m	Delivered		0	0
Network su	Delivered		0	0
alyssanpry	Delivery Fa	Received a	0	0
amber_sch	Delivered		0	0
amputer@	Delivered		0	0
amylm1ae	Delivered		0	0
Network su	Delivered		0	0
Network su	Delivered		0	0
Network su	Delivered		0	0
andrewkim	Delivered		0	0
anthony51	Delivered		0	0
apryczek@	Delivery Fa	Received a	0	0
asf343288	Delivery Fa	Received a	0	0
austin.becl	Delivered		2	0
avolve.coa	Delivered		0	0
axxjvauu@	Delivered		0	0
bartj9il5@i	Delivered		0	0

bday@acn	Delivered		1	0
ben.ehreth	Delivered		0	1 https://www.dot.nd.gov/highway-5
benthorpe(	Delivered		1	0
Bflach@gc	Delivered		0	0
bkschaffer	Delivered		1	0
blossomsb	Delivered		0	0
blossomsir	Delivered		0	0
bnebeker@	Delivered		0	0
bpinter23@	Delivered		1	0
bradg@tru	Delivered		0	0
brienightw	Delivered		0	0
Network su	Delivered		0	0
Network su	Delivered		0	0
bryon.fuch	Delivered		1	0
busche33@	Delivered		0	0
caleb.weis	Delivered		1	0
carinescott	Delivered		0	0
carl.snyder	Delivered		0	0
carlos0175	Delivered		0	0
carniifex@	Delivered		0	0
Network su	Delivered		0	0
carpentierr	Delivered		0	0
Network su	Delivered		0	0
cben0305@	Delivered		2	0
ccmorganb	Delivered		0	0
chad.erick	Delivered		1	0
chadt06@	Delivered		0	0
charleswis	Delivered		0	0
chloemiller	Delivered		0	0
christianals	Delivered		0	0
cjohn1118	Delivered		0	0
clayton.00	Delivered		0	0
clg1295@	Delivered		0	0
cmaples@	Delivered		0	0
cmmblevin	Delivered		0	0
collateral@	Delivered		0	0
colleen.lun	Delivered		0	0
Network su	Delivered		0	0
cory.swing	Delivered		0	0
courant@u	Delivered		1	0
courtney.a	Delivered		0	0
courtney.s	Delivered		0	0
cray@capi	Delivered		0	0
crrichmonc	Delivered		0	0
Network su	Delivery Fa	Received a	0	0
daniel.lewi	Delivered		0	0

danielnelsc	Delivered	0	0
Dantewillia	Delivered	0	0
davidking1	Delivered	0	0
dawnvoigt′	Delivered	0	0
dbairfreigh	Delivered	0	0
Network su	Delivered	0	0
dclemens@	Delivered	10	0
Dean@vor	Delivered	0	0
Network su	Delivered	0	0
delgadolm	Delivered	0	0
denas.raka	Delivered	0	0
depewjose	Delivered	0	0
Descue@r	Delivered	0	0
desespera	Delivered	0	0
Network su	Delivered	0	0
dickr@min	Delivered	0	0
dispatch@	Delivered	9	0
dmmoen@	Delivered	1	0
dominiquel	Delivered	0	0
drakox647	Delivered	0	0
dschaff@h	Delivered	1	0
dshockley(	Delivered	0	0
dthompsor	Delivered	0	0
dustin.kuls	Delivered	0	0
Network su	Delivered	0	0
eawin93@	Delivered	1	0
edithoffma	Delivered	0	0
eespinoza(	Delivered	0	0
egbutcher(	Delivered	0	0
elijah@slig	Delivered	0	0
elinor.orlev	Delivered	0	0
Network su	Delivered	0	0
emenogup	Delivered	0	0
emerck@n	Delivered	0	0
emhemwiv	Delivered	0	0
emilioterra	Delivered	0	0
emily.huett	Delivered	0	0
emxmrqwn	Delivered	0	0
engineerin	Delivered	0	0
Network su	Delivered	0	0
ericamphe	Delivered	0	0
ericbaloun	Delivered	0	0
eringubrud	Delivered	0	0
evan@bell	Delivered	0	0
Network su	Delivered	1	0
felicityco@	Delivered	0	0

felicitycorir	Delivered		0	0
fina.e.dvige	Delivered		0	0
finley.morg	Delivered		0	0
flannigand	Delivered		0	0
Network su	Delivered		0	0
frank@mai	Delivered		0	0
fyreh@get	Delivered		0	0
gem.ma.be	Delivered		0	0
gemma.sq	Delivery Fa	Received a	0	0
Network su	Delivered		0	0
genepriest	Delivered		0	0
georgia@u	Delivered		0	0
gfriedlein@	Delivered		0	0
ghostlightn	Delivered		0	0
gilliscyril41	Delivered		0	0
glindsay10	Delivered		0	0
govdelivery	Delivered		0	0
gunsmoke	Delivered		0	0
haugen42(	Delivered		0	0
helenellan	Delivered		0	0
helennoy@	Delivery Fa	Received a	0	0
heraldpres	Delivered		0	0
hneshem@	Delivered		0	0
icaldwell3(	Delivered		0	0
ignaciosan	Delivered		0	0
Network su	Delivered		0	0
info@avolv	Delivered		0	0
Network su	Delivered		0	0
intyredeco	Delivered		0	0
iparkins@c	Delivery Fa	Received a	0	0
Network su	Delivered		0	0
jackie.dylla	Delivered		0	0
jacob.vaug	Delivered		0	0
jake.rick@	Delivered		0	0
james.mick	Delivered		1	0
Jami.l.matt	Delivered		0	0
jbeach@nc	Delivered		0	0
Network su	Delivered		0	0
Jeffrogers(	Delivered		0	0
jennifer.rob	Delivered		1	0
jeremiahqu	Delivered		0	0
jerviscotto	Delivered		0	0
Network su	Delivered		0	0
jflynn@soil	Delivered		0	0
jhaagenso	Delivered		0	0
Network su	Delivered		0	0

jjohnson@	Delivered		1	0		
jkarls@wsl	Delivered		1	0		
jlermon@e	Delivered		0	0		
Joericci.70	Delivered		0	0		
Joericci70	Delivered		0	0		
johnczekal	Delivered		0	0		
johnsonmi	Delivered		0	0		
jon.zabolo	Delivered		1	0		
jonh@rtc.e	Delivered		1	0		
jonwaymar	Delivered		0	0		
joseph.f.st	Delivered		0	0		
josh@dak	Delivered		1	0		
Network su	Delivered		0	0		
Network su	Delivered		0	0		
Network su	Delivered		0	0		
Joshua.Da	Delivered		0	0		
jpoitra@pw	Delivered		0	0		
jrohr992@	Delivered		0	0		
jscantu112	Delivered		0	0		
jundel730+	Delivered		0	0		
justinbrowr	Delivered		0	0		
kandtt@m	Delivered		0	0		
kariwritesit	Delivered		0	0		
Network su	Delivered		0	0		
kbagdzqj@	Delivered		0	0		
Network su	Delivered		4	0		
kelly@prot	Delivered		1	0		
kendrabair	Delivered		0	0		
kevink@br	Delivered		1	5	https://ww	https://con https://form
kmcgovie8	Delivered		1	0		
kmoore@j	Delivered		2	0		
kontakt@b	Delivery Fa	Received a	0	0		
kortec21@	Delivered		1	0		
kristoferm	Delivered		0	0		
ksapp1234	Delivered		0	0		
kumaralha	Delivered		0	0		
kurystp@g	Delivered		0	0		
kushaljn.0	Delivered		0	0		
kushaljn@	Delivered		0	0		
kyleegygc	Delivered		0	0		
Network su	Delivered		0	0		
laeken.car	Delivered		1	0		
lara00165	Delivered		0	0		
Network su	Delivered		0	0		
laura_kels	Delivered		0	0		
laurawhite	Delivered		0	0		

lauriep535	Delivered		0	0
leah2013h	Delivered		0	0
Network su	Delivered		0	0
leroydock@	Delivered		0	0
Network su	Delivered		0	0
Network su	Delivered		0	0
Network su	Delivered		0	0
lkutz453@	Delivery Fa	Received a	0	0
lmotl@nd.e	Delivered		1	0
locoventur	Delivered		2	0
Network su	Delivery Fa	Received a	0	0
Network su	Delivered		1	0
luckystruck	Delivered		1	0
luis.cocaiii	Delivered		2	0
lynnell@al	Delivery Fa	Received a	0	0
magicklael	Delivered		0	0
Network su	Delivered		0	0
mandeville	Delivered		0	0
marianagl	Delivered		0	0
marilyn@b	Delivered		0	0
markacook	Delivered		0	0
marketing@	Delivered		0	0
marsh@ma	Delivered		0	0
marsh@op	Delivered		0	0
marshallko	Delivered		0	0
matt.clever	Delivered		0	0
Network su	Delivery Fa	Received a	0	0
matthew.jo	Delivered		0	0
mattroorda	Delivered		1	0
mauer@m	Delivered		3	0
mayra.gon	Delivered		0	0
Network su	Delivered		0	0
mdeis@nd	Delivered		0	0
Network su	Delivered		0	0
metigosh@	Delivered		0	0
mgute@ws	Delivered		0	0
Network su	Delivered		0	0
mikebreve	Delivered		0	0
mischukky	Delivered		0	0
mitch@nor	Delivered		0	0
mkdzs9p6	Delivered		0	0
mklose@n	Delivered		0	0
monkey@s	Delivered		0	0
morelrowe	Delivered		0	0
morexa57	Delivered		0	0
mountainli	Delivered		0	0

mschriock(	Delivered	0	0			
mtracey@l	Delivered	1	0			
Network su	Delivered	1	0			
nathanialk(	Delivered	0	0			
news@ker	Delivered	0	0			
news@mir	Delivered	4	0			
news@tioç	Delivered	0	0			
nhlmnwxs(	Delivered	0	0			
nib1967@y	Delivered	1	0			
nicholasjos	Delivered	0	0			
nickandsyl	Delivered	0	0			
nicole.e.ka	Delivered	0	0			
Network su	Delivered	4	0			
nikki.olson	Delivered	0	0			
nipeske@r	Delivered	1	0			
nish006@p	Delivered	0	0			
norakrame	Delivered	0	0			
nrfaria@gr	Delivered	0	0			
nrtranscrip	Delivered	1	0			
office@bb(	Delivered	1	0			
oksana.gol	Delivered	0	0			
Network su	Delivered	0	0			
patrickc@b	Delivered	1	5	https://ww	https://con	https://form
patshis310	Delivered	0	0			
paulreinke	Delivered	0	0			
peggy@pu	Delivered	0	0			
peltiersher	Delivered	0	0			
pete.johne	Delivered	0	0			
Network su	Delivered	0	0			
phamad@u	Delivered	0	0			
phil.emenc	Delivered	0	0			
pnaseth@l	Delivered	0	0			
Network su	Delivered	0	0			
princessjca	Delivered	0	0			
projects@(	Delivered	0	0			
projects@u	Delivered	0	0			
promoter@	Delivered	0	0			
Network su	Delivered	0	0			
Qualitytruc	Delivered	2	0			
racefast2liv	Delivered	1	0			
raexotics4(	Delivered	0	0			
Network su	Delivered	0	0			
rafaelleona	Delivered	0	0			
raiambar6(	Delivered	0	0			
raymondkit	Delivered	0	0			
rb.lehmanh	Delivered	1	0			

rdmothehit	Delivered		0	0		
rdreher@n	Delivered		3	0		
Network su	Delivered		0	0		
reywinebal	Delivered		0	0		
rgc3168k@	Delivered		0	0		
rhanley@b	Delivered		0	0		
Network su	Delivered		0	0		
rich.haberr	Delivered		0	0		
richpaxton	Delivered		0	0		
rick.howde	Delivered		0	0		
rickault9@	Delivered		0	0		
rickgust@u	Delivered		0	0		
rob.breitkre	Delivered		0	0		
rob.kjelshu	Delivered		0	5	https://ww	https://cont https://form
rohrj883@	Delivered		0	0		
rohrjonatha	Delivered		0	0		
ronaldgibb	Delivered		0	0		
rroteliuk@l	Delivered		0	0		
Rtrebtoske	Delivered		1	0		
saginidam	Delivered		0	0		
sakuntz@r	Delivered		2	0		
samantha	Delivered		0	0		
sammycra	Delivered		0	0		
samsaidde	Delivered		0	0		
Network su	Delivered		0	0		
sarabeth5	Delivered		0	0		
sarahjanss	Delivered		0	0		
Network su	Delivered		2	0		
sararntson	Delivered		2	0		
Network su	Delivery Fa	Received a	0	0		
schoonove	Delivered		3	0		
scott.staud	Delivered		1	0		
sean.kiely	Delivered		0	0		
sean.wann	Delivered		0	0		
seth.hillere	Delivered		0	0		
shaldorie3	Delivered		0	0		
shawnw@	Delivered		0	0		
Network su	Delivered		0	0		
singatuvid	Delivered		0	0		
skaldenba	Delivered		0	2	https://cont	https://www.dot.nd.gov
slahood@u	Delivered		0	0		
slbdriver@	Delivered		3	0		
slocumbra	Delivered		0	0		
slonikertru	Delivered		0	0		
Network su	Delivered		0	0		
smigues@	Delivered		0	0		

snortumsla	Delivered		0	0
sodesip92	Delivered		0	0
source.US	Delivered		0	0
Network su	Delivered		0	0
Network su	Delivered		0	0
spillersbilly	Delivered		0	0
staciehodg	Delivered		0	0
standard@	Delivered		0	0
steve@hig	Delivered		0	0
steve@ne\	Delivered		1	20 https://www.dot.nd.gov/highway-5
Network su	Delivered		0	0
Stylesturni	Delivered		0	0
styop.e@g	Delivered		0	0
styope@pr	Delivered		0	0
Network su	Delivered		0	0
sugmaligor	Delivery Fa	Received a	0	0
sunniqadri	Delivered		0	0
sunsi@ma	Delivered		0	0
sunspots@	Delivered		0	0
superdad2	Delivered		0	0
support@u	Delivered		0	0
susaneslin	Delivered		0	0
Network su	Delivered		0	0
suzannewe	Delivered		0	0
sweetie.gu	Delivered		0	0
t.kurugund	Delivered		0	0
t1inl9ikl@i	Delivered		0	0
Taggart59(	Delivered		1	0
tana.trotter	Delivered		0	0
tatiana.car	Delivered		1	0
taylor@kel	Delivered		2	0
tdutton@tr	Delivered		0	0
Network su	Delivered		0	0
thomas.we	Delivered		0	0
tiananoy@	Delivery Fa	Received a	0	0
tim.arens@	Delivered		2	0
timesnewr	Delivered		0	0
today@16:	Delivery Fa	Received a	0	0
tommatcha	Delivered		0	0
TOMMYM/	Delivered		0	0
Network su	Delivered		0	0
travis.rapp	Delivered		1	0
trw2015@s	Delivered		0	0
tshiendafra	Delivered		0	0
Network su	Delivered		0	0
turboseptic	Delivered		0	0

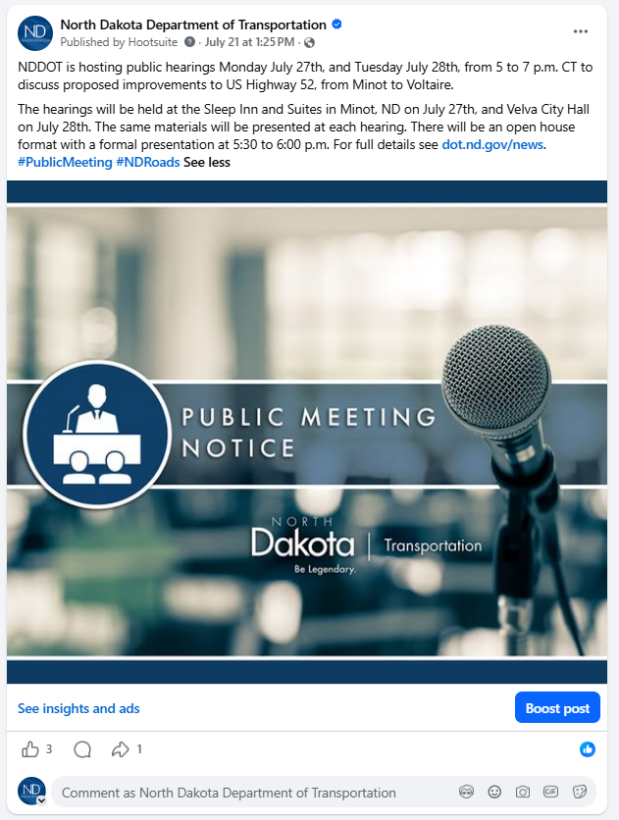
tylordurfee	Delivered		0	0
tyson.jung(	Delivered		1	0
Network su	Delivered		0	0
usa-gov-lis	Delivered		0	0
usa@espe	Delivered		0	0
vdubbs1@	Delivered		0	0
velaroberta	Delivered		0	0
vimevav50	Delivered		0	0
Vogden@v	Delivered		0	0
wade.frank	Delivered		2	0
waffle.john	Delivered		0	0
warren@or	Delivered		0	0
waynetrip1	Delivery Fa	Received a	0	0
wdiemert@	Delivered		0	0
wes.dickhu	Delivered		0	0
Network su	Delivered		0	0
westielove	Delivered		0	0
wiesiaxbila	Delivered		0	0
wrrayp@kr	Delivered		0	0
yilein.seah	Delivered		0	0
yinbrendar	Delivered		0	0
yjeanty@y	Delivered		0	0
yo.r.klee04	Delivered		0	0
yournews@	Delivered		0	0
ytadrn@gn	Delivered		0	0
zach_scott	Delivered		0	0
zack.waln@	Delivered		0	0

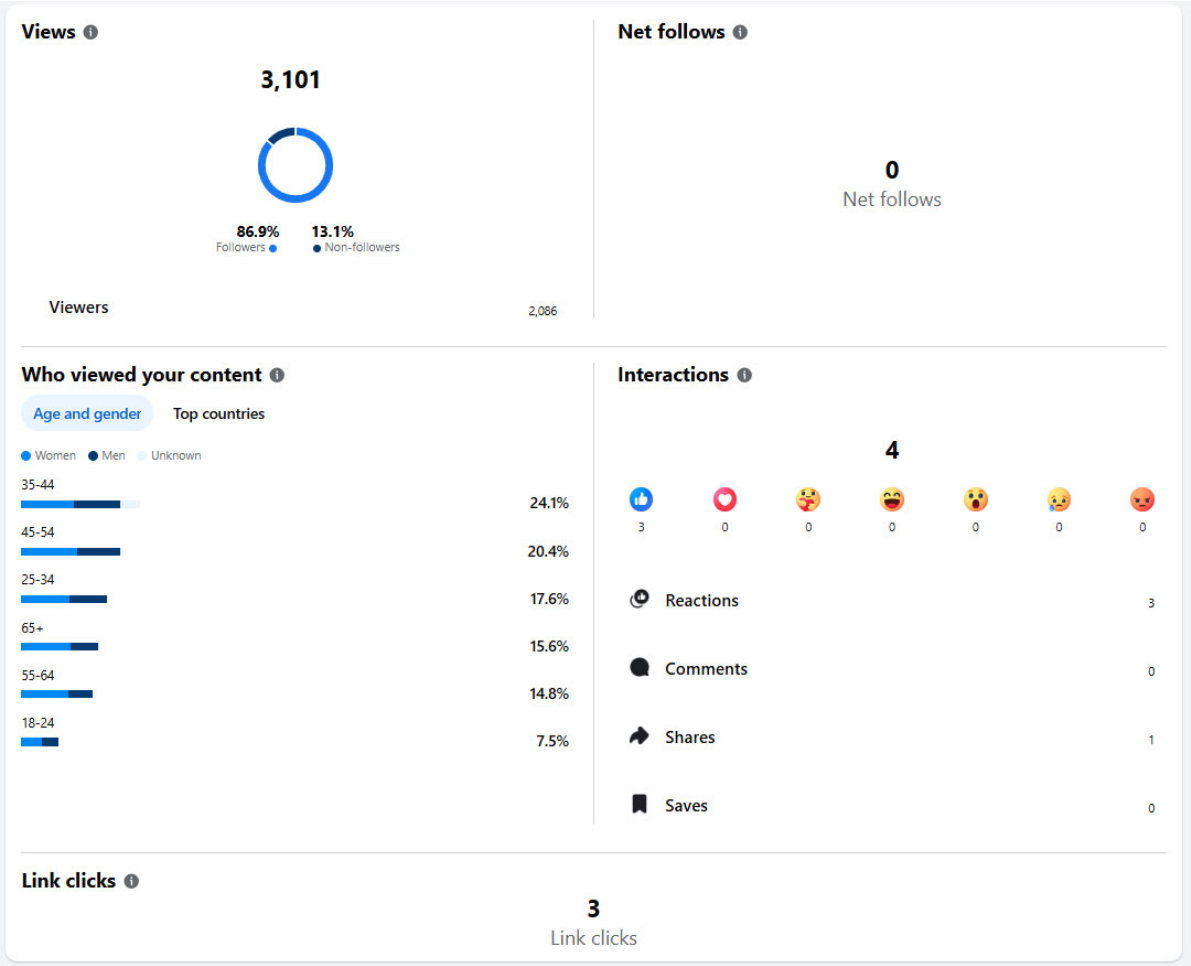
Van Dorsten, Manda M.

From: Arntson, Sarah
Sent: Friday, August 7, 2026 9:02 AM
To: Van Dorsten, Manda M.
Subject: RE: NDDOT to hosts public hearings for Highway 52 four lane project

Good morning Manda,

Here is the post:





Cheers,
Sarah

From: Van Dorsten, Manda M. <mvandorsten@nd.gov>
Sent: Friday, August 7, 2026 7:30 AM
To: Arntson, Sarah <sararntson@nd.gov>
Subject: FW: NDDOT to hosts public hearings for Highway 52 four lane project

Good morning Sarah. I was wondering if this was put on social media and if you have the analytics.

Thank you,

Manda

From: North Dakota Department of Transportation <nddot@info.nd.gov>
Sent: Tuesday, July 21, 2026 1:51 PM
To: Van Dorsten, Manda M. <mvandorsten@nd.gov>
Subject: NDDOT to hosts public hearings for Highway 52 four lane project

View as a webpage / Share

WHEN?

TWO DAYS & TWO LOCATIONS

July, 27th–28th 2026

JULY 27, 2026

Open House:
5:00 P.M. TO 7:00 P.M.

Formal Presentation:
5:30 P.M. TO 6:00 P.M.

Sleep Inn & Suites Theater Room
2400 10th St SW
Minot, ND

JULY 28, 2026

Open House:
5:00 P.M. TO 7:00 P.M.

Formal Presentation:
5:30 P.M. TO 6:00 P.M.

Velva City Hall
101 1st St W
Velva, ND

US HIGHWAY 52 FOUR LANE

PUBLIC HEARING

PROJECT 4-052(109)101 PCN 24012 | 2.3 MILES W OF JUNCTION 79TH AVE SE TO VOLTAIRE

THE PROJECT IS STUDYING THE EXPANSION OF US HIGHWAY 52 FROM TWO TO FOUR LANES BETWEEN MINOT AND VOLTAIRE.

Ulteig
We listen. We solve.®

NORTH Dakota Be Legendary. | Transportation

Ulteig Operations LLC
3350 38th Ave South
Fargo, ND 58104

We listen. We solve.®

Written statements or comments about this project may be submitted by **August 12 th** to:

Ulteig Operations LLC
Attn: Mike Huffington
3350 38th Ave South
Fargo, ND 58104
Email: Mike.Huffington@Ulteig.com
Note **"Public Hearing - PCN 24012"** in email subject heading.

Name	Name 2	Address	City	State	OwnerZip
ABRAHAMSON, KACEY & KRISTIE		1752 HWY 52 W	VELVA	ND	58790
AGA, JOSHUA & JESSICA		191 PROSPECT AVE	VELVA	ND	58790
MOSTAD, JAMES A & PAMELA A		6101 CTY RD 19 S	MINOT	ND	58701
ALTHOFF, DALE		16965 COUNTY RD 12	MOORETON	ND	58061
ANDERSON, BENJAMEN & KATIE E		11491 LARSON LN	MINOT	ND	58701
ANDERSON, CONNIE M		12010 HWY 52 S	MINOT	ND	58701-2445
ANDERSON, DEREK & TAMMARA		PO BOX 363	VELVA	ND	58790
ANDERSON, MARK & ELIZABETH		PO BOX 3405	MINOT	ND	58702
MESCHKE, SHIRLEY		6600 COUNTY RD 19 S	MINOT	ND	58701-2310
ARCHER DANIELS MIDLAND	TAX V-401674 #752	PO BOX 1470	DECATUR	IL	62525
ARNDT LE, KAREN	ALEXANDRA FOSS	PO BOX 746	STANLEY	ND	58784
BAER, MARILYNN		15 1ST ST SW	SAWYER	ND	58781-9281
BALLARD, SKYLER D E		PO BOX 234	VELVA	ND	58790
BASIN ELECTRIC CO-OP INC	C/O DONALD J BOEHM, ST TAX ADM	1717 E INTERSTATE AVE	BISMARCK	ND	58501-0564
BAUER, SIERRA R & DIXON CLAY		300 PROSPECT AVE	VELVA	ND	58790
BAXTER, CLINTON & CAROLYN		5101 14TH ST SW	MINOT	ND	58701
REICH, CHESTER & LILA		7400 72ND ST SE	MINOT	ND	58701-2300
BEETER, BRADLEY ETAL		PO BOX 199	SAWYER	ND	58781
HILL LIVING TRUST		4103 55TH ST SE	MINOT	ND	58701
MELAND, CHRISTIAN D		1502 34TH AVE SE	MINOT	ND	58701
BERRY, CHAD MICHAEL		14221 HWY 52 S	SAWYER	ND	58781
BERTSCH, KASPER M		10900 HWY 52 S	MINOT	ND	58701-2432
BIDDINGER, EVA		10920 HWY 52 S	MINOT	ND	58701
BOOTH, DOLORES #		14801 HWY 52 S	VELVA	ND	58790
BOSSERT, DENNIS		2 HERITAGE DR	VELVA	ND	58790-7403
BOSSERT, GARRETT		#8 HERITAGE DR	VELVA	ND	58790
BOUDRIEAU, DANIEL EARL & SIERRA		7901 79TH AVE SE	MINOT	ND	58701
BRAACH, LEVI G & CRYSTAL M		10510 HWY 52 S	MINOT	ND	58701-2428
BREKKE LE, SEVERIN	BREKKE FAMILY IRREV TRUST	3983 11TH AVE N	VOLTAIRE	ND	58792
BREKKE, BRUCE & BRENDA		6923 GREENSPIRE DR	LEWIS CENTER	OH	43035
BREWER, CHRISTOPHER & ERICA		510 PROSPECT AVE	VELVA	ND	58790-7404
BREZDEN, TROY & LADONNA		9901 HWY 52 S	MINOT	ND	58701
BROSSART, CHRISTOPHER J		152 2ND ST SE	SAWYER	ND	58781
BROWN, LUCAS		13510 HWY 52 S	SAWYER	ND	58781
BROWN, LUCAS A & ERIN L		13510 HWY 52 S	SAWYER	ND	58781
BUDEAU, JIMMIE E & JULIENNE		8311 79TH AVE SE	MINOT	ND	58701-2304
CEDERSTROM, KEITH & REBECCA		PO BOX 469	VELVA	ND	58790-0469
CENTRAL POWER ELECT COOP INC		525 20TH AVENUE SW	MINOT	ND	58701-6436
CHENNAULT, RYAN A & LAUREN M		11650 AIDELL CT	MINOT	ND	58701
CITY OF SAWYER		PO BOX 227	SAWYER	ND	58781-0227
BECK, CHUCK & JOETTE		9310 HWY 52 S	MINOT	ND	58701
COLBY, CARLYLE & GWEN		4359 8 AVE N	VOLTAIRE	ND	58792
COLBY, LOUIS P		PO BOX 234	VOLTAIRE	ND	58792-0234
CRAIG LIV TRST, JACQUELINE	JACQUELINE/JAMES CRAIG TRSTEES	PO BOX 144	VELVA	ND	58790-0144
CROSS, KEVIN & SUSAN		PO BOX 1725	MINOT	ND	58702-1725
DAKOTA MIDLAND GRAIN LLC		PO BOX 188	VOLTAIRE	ND	58792-0188

DEGELE, PAMELA ASCHENBRENNER	& WILLIAM DEGELE	PO BOX 183	VELVA	ND	58790
DELZER, GERALD R		10500 HWY 52 S	MINOT	ND	58701
DINWIDDIE, ANTHONY		PO BOX 176	VELVA	ND	58790
DIOCESE OF FARGO		5201 BISHOPS BLVD SUIT	FARGO	ND	58104-7605
DND INVESTMENTS LLC		4500 38TH ST SE	MINOT	ND	58701
DUCHSHERER LE, JACK & FLORENCE	DUCHSHERER FAMILY TRUST	PO BOX 308	VELVA	ND	58790
DUCHSHERER, DANA L & COLE M		8500 COUNTY RD 19 S	MINOT	ND	58701-2467
EATON, PATRICK		617 2ND AVE W	WILLISON	ND	58801
EFFERTZ, ALAN & MONICA		1375 40TH ST N	VELVA	ND	58790
EGGL, KELLY & LISA		6001 54TH AVE SW	MINOT	ND	58701
EKLUND, KEVIN & JAMI		13901 HWY 52 S	SAWYER	ND	58781
ELLIS, LARRY D		10700 HWY 52 S	MINOT	ND	58701
FARMERS UNION OIL COMPANY OF VELVA AND MINOT		PO BOX DRAWER F	MINOT	ND	58702
FEIST, DAVID N & MICHELE A		4490 13TH AVE N	VELVA	ND	58790-9007
JENSEN, DONALD R & KATHLEEN M		9320 HWY 52 S	MINOT	ND	58701
FEIST, MYRON J & MARK		1133 23RD ST NW	MINOT	ND	58703-1760
FERGASON, LINDA &	JOHN BEARD	505 TRUAX AVE W	VELVA	ND	58790
FISCHER, CHAD & KARI		103 CARMEL CT	VELVA	ND	58790
FLADELAND, DAN & GINGER		10511 HWY 52 S	MINOT	ND	58701
FLAMMANG, RAYMOND M & CINDY L		13400 HWY 52 S	SAWYER	ND	58781
SKALICKY, BILLY & JEAN E		9720 107TH AVE SE	MINOT	ND	58701
FRANCIS, DOUGLAS & CARRIE		13015 HWY 52 S	SAWYER	ND	58781
FREDRICKSON, DYLAN & FRINK, JESSICA		11451 LARSON LN	MINOT	ND	58701
FRIED FAM REV TRST, MARVIN/KAY		5931 CENTENNIAL RD	BISMARCK	ND	58503
FROSHAUG, JULIE		PO BOX 68	VELVA	ND	58790
GACHNE, KATHLEEN L		109 MAIN ST S	VELVA	ND	58790
GACKLE, ROBERT	& ANDREW TELEHAY	PO BOX 286	VELVA	ND	58790
GACKLE, ROBERT & CHERI		PO BOX 286	VELVA	ND	58790
GATES, DELWIN E. & VICKY L.		205 LAWNDALE ST	MOHALL	ND	58761-4701
GETCHELL, CHASE J & MEGAN M		PO BOX 4	VELVA	ND	58790
GINGLES, PATRICK &	JAKYONG KIM	506 PROSPECT AVENUE	VELVA	ND	58790
GJELLSTAD HOLDINGS LLC		4894 HIGHWAY 41	VELVA	ND	58790-9132
GJELLSTAD, CLINTON & JAMIE		4894 HIGHWAY 41	VELVA	ND	58790
GOHEEN, WILLIAM & MARILYN		11021 HWY 52 S	MINOT	ND	58701
GOODRICH, SERENA		610 CENTRAL AVE W	SAWYER	ND	58781
GRABOW, LEXI		103 MAIN ST S	VELVA	ND	58790
GROSSMAN, CHRISTOPHER & SHAWNA		10630 111TH AVE SE	MINOT	ND	58701-2498
HAGA LIV TRST, GREGORY & DAWN		206 PROSPECT AVE	VELVA	ND	58790
HALVORSON, WADE & LISA		PO BOX 56	TOLNA	ND	58380
HANSON, DOUGLAS D & DONNA K TRUST		2129 W 20TH ST	LOS ANGELES	CA	90018-1407
HARDEN, MICHAEL & TONYA		1990 HWY 52 W	VELVA	ND	58790
HARDEN, MICHAEL W		1990 HWY 52 W	VELVA	ND	58790
HARTLEIB, KEITH		PO BOX 186	SAWYER	ND	58781
HAUGEN, ARDEAN		7821 20TH AVE SE	MINOT	ND	58701-3500

HAUSER, DONNA		14201 125TH ST SE	SAWYER	ND	58781
HAZEL, ROBERT		512 WEST PROSPECT AVE	VELVA	ND	58790
HEDSTRAND, CURTIS E & ELLEN		10400 HWY 52 S	MINOT	ND	58701-2427
BENDER, WILLIAM A & RUTH		10001 HWY 52 S	MINOT	ND	58701-2448
HEISLER, ALEXIA & MICHAEL		PO BOX 428	VELVA	ND	58790
HEIZELMAN, RODNEY D & LYNNE		8301 79TH AVE SE	MINOT	ND	58701
HEIZELMAN, RONALD F & PATRICIA E TRUST		8936 BIRCH RUN LN	PARKER	CO	80134
HELSETH, JEREMY		14711 S HWY 52	SAWYER	ND	58781
HELSETH, JEROME A		14711 S HWY 52	SAWYER	ND	58781
BEETER, CLINTON TRUST ETAL	Kevin Beeter (son)	PO BOX 237	MINOT	ND	58702-0237
HELSETH, JOHN A & KATHRYN J		10701 111TH AVE SE	MINOT	ND	58701
HILDRE, MARTY & JENNIFER		PO BOX 339	VELVA	ND	58790-0339
MYRE, ERIK & JUDITH TEAL		14002 HWY 52 S	SAWYER	ND	58781
HILL, REBECCA G & GARY L		6220 37TH AVE SE	MINOT	ND	58701
HILL, REBECCA G TRUST		4103 55TH ST SE	MINOT	ND	58701
HOCHSPRUNG, KIRK L & KATHY		13001 HWY 52 E	SAWYER	ND	58781
HOLTE, DONNA		107 9TH ST W	VELVA	ND	58790
HYSTAD, JAMES L & ROSE		1920 47TH ST N	VELVA	ND	58790-9104
HYSTAD, JILL		302 PROSPECT AVE	VELVA	ND	58790
ANHORN, DONALD D & ANDREA M		14000 HWY 52 S	SAWYER	ND	58781-9114
JOHNSON, RODNEY W & CAROLE J		PO BOX 65	ROLETTE	ND	58366-0065
JUNGERS, ROSE		PO BOX 7	VELVA	ND	58790-0007
FEIST, MARK		14001 HWY 52 S	SAWYER	ND	58781-9114
HEIDE, JOHN		PO BOX 1283	KILLARNEY MB	CANADA	R0K 1G0
KAMPMAN, JOHN A		14201 HWY 52 S	SAWYER	ND	58781
KELLER, BLANE & DONNA		PO BOX 406	VELVA	ND	58790
KELLER, BLANE & MADONNA	MCKENZIE KELLER CD	PO BOX 406	VELVA	ND	58790
KERR, JOHN N & DOROTHY		PO BOX 56	VELVA	ND	58790-0056
KLIMPEL, PAUL & LAURIE		P O BOX 199	VELVA	ND	58790
KOHLMAN, DAVE & MINDEE		12560 DAKOTA RIDGE RD	MINOT	ND	58701
KREGER, WILLIAM D		15 1ST ST SW	SAWYER	ND	58781-5002
KRENZ, HARRIET ESTATE		1124 13TH ST NW	MINOT	ND	58703
KRUEGER, JAMES W & SHARON K		11901 135TH AVE SE	SAWYER	ND	58781
KRUEGER, KACEY R & MEHGAN		1605 26TH AVE NW	MINOT	ND	58703
KRUMWIEDE, TIMOTHY & DENISE		1473 HWY 52 W	VELVA	ND	58790-0039
KRUMWIEDE, TOMMY & LINDA		1550 HWY 52 W	VELVA	ND	58790-9703
KUNTZ, JESSE R		PO BOX 121	VELVA	ND	58790-0121
LADE, EDITH J		402 PROSPECT AVE	VELVA	ND	58790-7414
FOLDEN, TIMOTHY P & SIAN M		14180 HWY 52 S	SAWYER	ND	58781
LANG, VICKIE	AKA VICKIE BLOTTER	119 SOUTH MAIN	VELVA	ND	58790
LANGLEY, BONNIE		8503 79TH AVE SE	MINOT	ND	58701-2306
LARSON, J.D. & BRENDA		PO BOX 151	VELVA	ND	58790-0151
LARSON, SHANE & SUZANNE		11400 DAKOTA RIDGE RD	MINOT	ND	58701
LAUREANO, JOHN MATTHEW		9911 HWY 52 S	MINOT	ND	58701
LAWSON, ROBERT		1559 HWY 52 W	VELVA	ND	58790-9703
LEIER, BRUCE M & SHERRIE L		7601 HWY 52 S	MINOT	ND	58701

LEMER, BRADLEY		11201 DAKOTA RIDGE DR	MINOT	ND	58701
LENERTZ, ROB		13950 139TH ST SE	SAWYER	ND	58781-4206
LENERTZ, ROBERT & ANDREA		13950 139TH ST SE	SAWYER	ND	58781
LINDAHL, ALBERT L		PO BOX 142	SAWYER	ND	58781-0142
LOHNES, GERALD II & JILL		205 PROSPECT AVE	VELVA	ND	58790
LONG, LARRY & BECKY IRREV. TRUST		PO BOX 173	VELVA	ND	58790
MARTIN, ROBERT D & JEANETTE M		8100 HWY 52 S	MINOT	ND	58701
MCBAIN, TROY D		10001 111TH AVE SE	MINOT	ND	58701
KAMPMAN, DARWIN E & ELIZABETH		1836 7TH STREET SW	MINOT	ND	58701
MERCK, LESLIE M & PAMELA J TRUST		7401 HWY 52 S	MINOT	ND	58701-2301
AHO, DOUGLAS J & KONI L		PO BOX 146	SAWYER	ND	58781-0146
MESSNER, HARVEY&ELEANOR(L EST)	SHAWN L-TRENT A MESSNER	9416 23RD ST NE	TOLNA	ND	58380
MILLER, IRENE	% ROBERT MILLER	616 2ND ST NE	GARRISON	ND	58540
MILLER, WILLIAM E II		11301 DAKOTA RIDGE RD	MINOT	ND	58701
STANTON, NICHOLAS		14601 153RD ST SE	SAWYER	ND	58781
NEIGEL, JEFF & KYLEE		14400 HWY 52 S	SAWYER	ND	58781
MOUSE RIVER OIL COMPANY		P O BOX 230	VELVA	ND	58790-0230
MOWBRAY, HARRY TRAVIS		10681 111TH AVE SE	MINOT	ND	58701
MUELLER, CODY		PO BOX 63	VELVA	ND	58790
HELSETH, JEROME A & PAULA J		14711 S HWY 52	SAWYER	ND	58781
LANDSIEDEL, PAT		1709 35TH AVE SE	MINOT	ND	58701
NELSON, KEVIN CROSS		1524 10TH ST SW	MINOT	ND	58701
ODEGARD, LONNIE & ANNETTE		111 MAIN ST S	VELVA	ND	58790
OLSON FAMILY LIMITED PTNRSHIP		3530 EDGEWOOD VIILLA(	BISMARCK	ND	58503
OLSON, JAMES & CAROLYN		PO BOX 272	VELVA	ND	58790-0272
OLSON, MARK E & KAREN A		PO BOX 471	VELVA	ND	58790
OTTERTAIL POWER COMPANY		215 SOUTH CASCADE	FERGUS FALLS	MN	56538-0496
OTTMAR, AARON R & SHANTEL D		7611 HWY 52S	MINOT	ND	58701
OVA, DONNELL L #		10800 HWY 52	MINOT	ND	58701
PARIZEK, RANDY & SHIRLEY		PO BOX 1621	MINOT	ND	58702-1621
PAULSON, ROBERT L & SHERYLL D		9801 HWY 52 S	MINOT	ND	58701
PEDERSEN, MYRON & BONNIE		PO BOX 328	VELVA	ND	58790
PETERSON, CURTIS A		PO BOX 133	VELVA	ND	58790
PINE, CURA		PO BOX 323	VELVA	ND	58790
PLESUK, JOHN R & CONNIE R		10920 HWY 52 S	MINOT	ND	58701-2432
POYNTER, DUANE & TONI		14201 111TH ST SE	SAWYER	ND	58781
QUAM, GINGER N LIVING TRUST		9710 107TH AVE SE	MINOT	ND	58701
QUAM, WILLIAM G LIVING TRUST		9710 107TH AVE SE	MINOT	ND	58701
REDDING, DENNIS & CAROL		30 1ST AVE SE	SAWYER	ND	58781
SIMS, RYAN & ROBYN		15000 181ST STREET SE	VELVA	ND	58790
RIVER BEND RETREAT LLC		1718 CAPITAL AVE	CHEYENNE	WY	82001
RP RETAIL LLC		9440 ENTERPRISE DRIVE	MOKENA	IL	60448
CF INDUSTRIES DISTRIBUTION FACILITIES LLC		4 PARKWAY NORTH SUITE 400	DEERFIELD	IL	60015
RYAN PARKER PROPERTIES LLC		4320 RUMLEY RD #24	VELVA	ND	58790
SATHER, JEFFREY A TRUST		13100 11TH AVE SE	NORWICH	ND	58768
SAUGSTAD, HARLAN D		9601 84TH AVE SE	MINOT	ND	58701-2418
SAUTER, WENDELL & ROBIN		500 PROSPECT AVE W	VELVA	ND	58790
SAWYER FIRE DEPARTMENT C/O PAT WEIGEL		14215 HWY 52 S	SAWYER	ND	58781-2027

SAWYER SPECIAL SCHOOL DIST 16		25 1st Ave SW	SAWYER	ND	58781
SCHIFF LE, GEORGE & JOYCE	MARIA - MICHELLE - SHANNON	PO BOX 348	VELVA	ND	58790-0348
SCHLAG, ROGER & NANCY		100 CARMEL CT	VELVA	ND	58790
SCHMIDT, JONATHAN D & MARK A		1427 35TH AVE SE	MINOT	ND	58701
SCHOON, TY W & BRINDI K		705 CENTRAL AVE W	SAWYER	ND	58781
SCHULER, MICHAEL		PO BOX 262	VELVA	ND	58790
SCIGLIANO, SAMUEL & KALI		12020 HWY 52 S	MINOT	ND	58701
CITY OF VELVA	C/O JENNY JOHNS, AUDITOR	PO BOX 219	VELVA	ND	58790-0219
MOURE EQUIPMENT LLP		800 31ST AVE SW	MINOT	ND	58701
SOLBERG, RONALD E & JOYCE M		11010 HWY 52 S	MINOT	ND	58701-2431
SOO LINE RR (DAKOTA-MID LEASE)	7TH FLOOR TAX DEPARTMENT	120 S 6TH ST	MINNEAPOLIS	MN	55402-1803
SOUTHAM, TROY		PO BOX 131646	CARLSBAD	CA	92013
SRT COMMUNICATIONS INC		PO BOX 2027	MINOT	ND	58702-2027
STABLES, GLORIA ETAL C/O GERALD MOSTAD		7550 HWY 49	NEW LEIPZIG	ND	58562
JWJM LLLP		424 32ND AVE SW, UNIT I	MINOT	ND	58701
STROUP, CHRISTOPHER & CARRIE		10820 HWY 52 S	MINOT	ND	58701
SUNDSBAK, ROGER		1750 HWY 52 W	VELVA	ND	58790
SUTTER, STACY A & VICKIE L		7621 HWY 52 S	MINOT	ND	58701-2302
TALLEY, KRISTA & ROYCE		529 PROSPECT AVE	VELVA	ND	58790
TENNYSON, MICHAEL A & LEANN M		9701 107TH AVE SE	MINOT	ND	58701
THINGSTAD, MICHAEL & DIANA		1 HERITAGE DR	VELVA	ND	58790-7402
THOMPSON, RICHARD L & CHRISTINE M		9712 107TH AVE SE	MINOT	ND	58701
TIBBALS, TAMMI		PO BOX 186	SAWYER	ND	58781-0186
TIBBALS, TAMMI C/O KEITH HARTLEIB		PO BOX 186	SAWYER	ND	58781-0186
TOLTON, STEVE L & SUZANNE		6001 HWY 52 S	MINOT	ND	58701
TOMLINSON, CALVIN		400 PROSPECT AVE	VELVA	ND	58790
TRUAX TRAER COAL CO	% ARCHER DANIELS MIDLAND CO TAX V-401674 #752	PO BOX 1470	DECATUR	IL	62525
TRUST SHARE HARLAN SAUGSTAD		9601 84TH AVE SE	MINOT	ND	58701
COLBY, WARREN & SHEA		846 44 ST N	VOLTAIRE	ND	58792
VANNETT, CARLA		11550 AIDELL COURT	MINOT	ND	58701
VARTY, CARSON		PO BOX 139	SAWYER	ND	58781-0139
VEDAA PROPERTIES LLP	% SHAWN VEDAA	P0 BOX 550	VELVA	ND	58790
VEDVIG, WAYNE A & CHERYL M		12000 135TH AVE SE	SAWYER	ND	58781-9242
VERBITSKY, ALAN G & LAURIE L		1400 51ST AVE SW	MINOT	ND	58701
VERENDRYE ELECTRIC CO-OP		615 HWY 52 W	VELVA	ND	58790-7417
WARNKE, MATT		12001 135TH AVE SE	SAWYER	ND	58781
WASHEK, JANET & JM WASHEK REV LVNG TRUST		13501 HWY 52 S	SAWYER	ND	58781
WASHEK, JM REVOCABLE LIVING TRUST		13501 HWY 52 S	SAWYER	ND	58781
WEDEL LIV TRUST, JASON ETAL	C/O JERRY WEDEL	1130 CEDAR CREEK DR UI	MODESTO	CA	95355-5220
WIEST, ZACHARY		715 CENTRAL AVE W	SAWYER	ND	58781
WILBUR-ELLIS COMPANY PP TAX DEPT-MINOT		16300 CHRISTENSEN ROA	TUKWILA	WA	98188
WIST, KRISTI L & CHAD MCDONALD		1325 37TH AVE SE	MINOT	ND	58701-6216
WITMER, AARON M & CHERI M		8800 COUNTY ROAD 19 S	MINOT	ND	58701
ZAVALNEY, CRAIG		8521 29TH AVE NW	BURLINGTON	ND	58722

Appendix C, Handouts

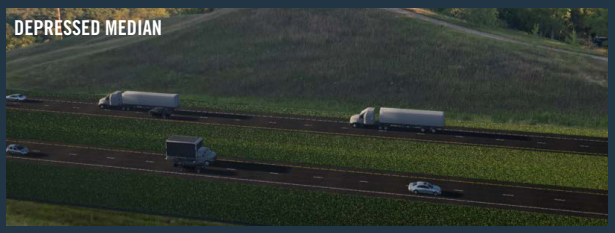
PUBLIC HEARING

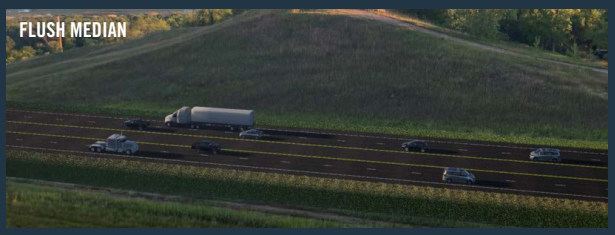
US HIGHWAY 52 FOUR LANE

July 27 & 28, 2026

WHAT IS THE PROPOSED PROJECT?

The North Dakota Department of Transportation (NDDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to expand approximately 22 miles of US Highway 52 from a two-lane to a four-lane highway.





WHAT HAS CHANGED SINCE THE LAST PUBLIC INPUT MEETING?
The option to close the 2nd Avenue East intersection at Sawyer was removed from further consideration.

The divided depressed alternative will be extended in Segment 5 and will be added to Segment 6. The divided highway with a depressed center median through segments 5 and 6 will transition from expansion to the north to a full reconstruct centered on the roadway to allow the depressed center median to fit between the railroad switch at the railroad crossing. The transition from depressed to flush would start approximately 3,000 feet west of the intersection of US Highway 52 and Main Street in Voltaire due to constraints with the grain elevator and residential properties.

WHERE IS THE PROJECT LOCATED? The project begins near Minot (approximately 2.3 miles west of Junction 79th Ave SE) and ends just east of Voltaire. The project occurs within Ward and McHenry counties, North Dakota.

WHAT IS THE PURPOSE OF THE PUBLIC HEARING? The purpose of this public hearing is to provide information about the proposed US 52 Four Lane project, present the preferred alternative, and give community members an opportunity to ask questions and provide comments. Public input will help inform the final design and decision-making process.

WHAT IS THE PURPOSE AND NEED FOR THE PROJECT? The purpose of the project is to expand this segment of US Highway 52 to four lanes in order to address the various needs along the corridor. These needs have been determined base on studies completed to date as well as public and stakeholder feedback, and include the following:

- Perceived Safety Issues
- Legislative Funding Obligations
- Existing and Future Traffic Needs
- Social Demands and Economic Development

WHAT PROJECT ALTERNATIVES AND OPTIONS HAVE BEEN STUDIED? A full range of reasonable alternatives were developed and screened for consistency with several criteria including existing reports, the project's purpose and need, design standards, and known constraints within the project corridor. From this process, two primary build alternatives were developed:

- A divided highway with a **depressed center median**
- A divided highway with a **flush paved median**

To best apply the two primary build alternatives across the corridor, the project area was divided into six segments, with distinct options analyzed for each segment. Please refer to the project map attached.

In addition to the primary alternatives, one design option is under consideration: Constructing a shared use path in Velva. Alongside these build alternatives, a No Build option (leave the existing highway as it is) remains under consideration for each segment. Please refer to the graphic on the back for the preferred alternative for each segment.

WHAT IS THE TENTATIVE PROJECT SCHEDULE?

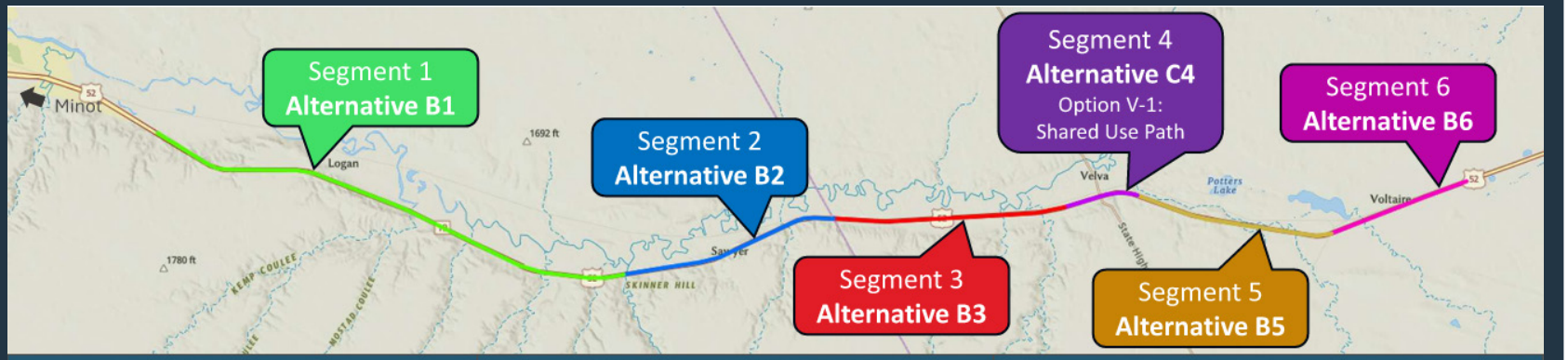
WE WANT TO HEAR FROM YOU

The EA is available for public inspection at the **NDDOT Minot District Office, 1305 Highway 2 Bypass East, Minot, ND 58701,** and at the information desk of the **NDDOT Central Office, 608 East Boulevard Avenue in Bismarck.** An electronic copy of the EA is also available online at **https://www.dot.nd.gov/us-highway-52**

Written statements or comments may be submitted by August 12th, 2026:

Mail:
Ulteig Operations, LLC
Attn: Mike Huffington
3350 38th Ave South
Fargo, ND 58104
Email:
Mike.Huffington@Ulteig.com
Note *"Public Hearing - PCN 24012"* in the email subject heading

PREFERRED ALTERNATIVE

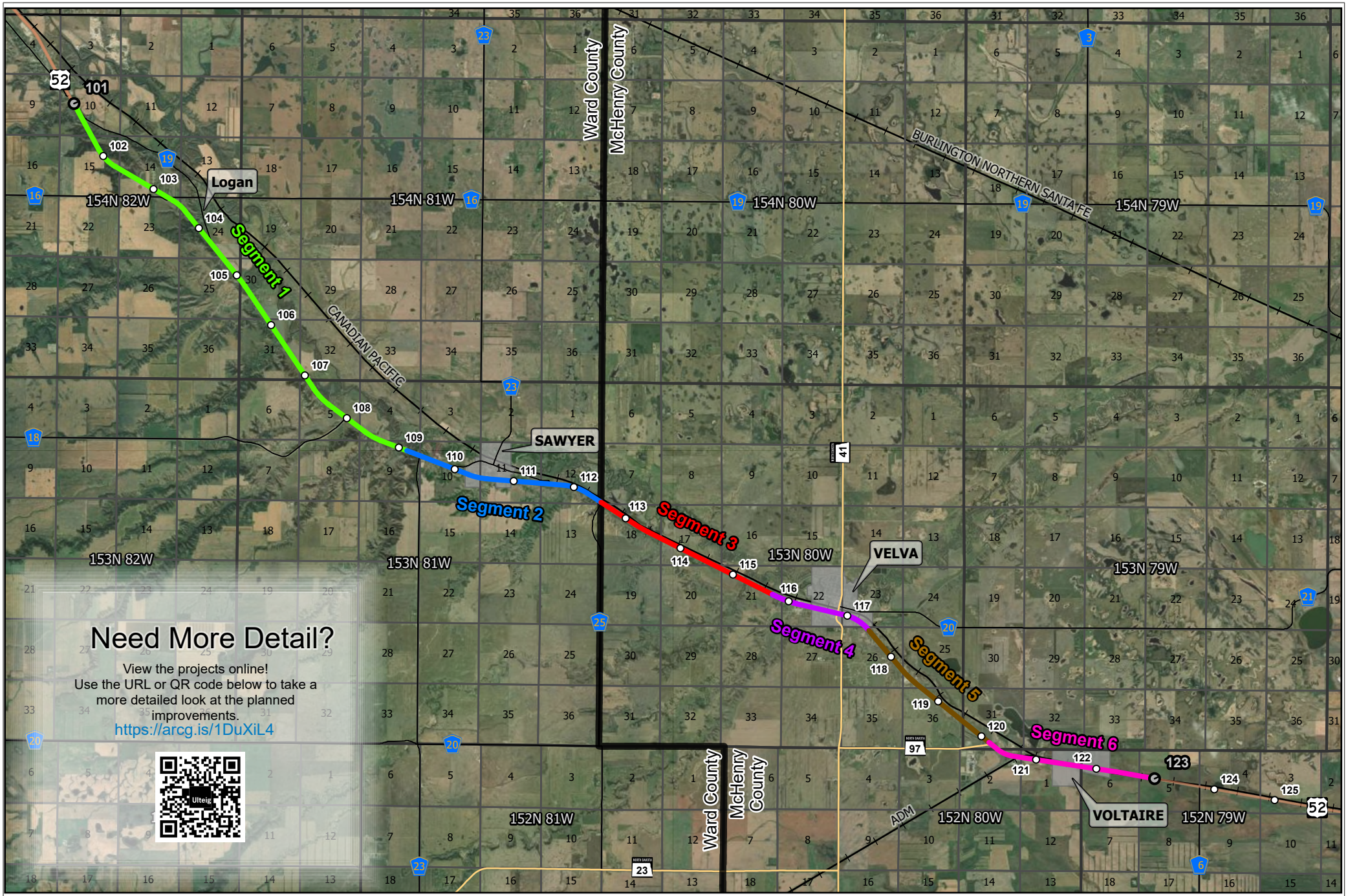


SEGMENT	PREFERRED ALTERNATIVE	TYPICAL SECTION
1 Segment 1 Alternative B1	Divided Four-Lane Highway with a Depressed Center Median	
2 Segment 2 Alternative B2	Divided Four-Lane Highway with a Depressed Center Median	
3 Segment 3 Alternative B3	Divided Four-Lane Highway with a Depressed Center Median	
4 Segment 4 Alternative C4 Option V1: Shared Use Path	Divided Four-Lane Highway with a Flush Paved Center Median with Option V-1: Shared Use Path	
5 Segment 5 Alternative B5	Divided Four-Lane Highway with a Depressed Center Median	
6 Segment 6 Alternative B6	Divided Four-Lane Highway with a Depressed Center Median	

PUBLIC HEARING

US HIGHWAY 52 FOUR LANE

Ulteig
We listen. We solve.
North Dakota
Be Legendary.
Transportation



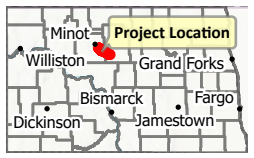
US 52 Four Lane Project Segments
Ward and McHenry Counties, ND

Ulteig

N

0 1 2 4 Miles

1:130,000



- US 52 Mile Markers
- Project Beginning/End Point
- State Highway
- US Highway
- Railroads
- Township Lines
- Section Lines
- County Boundary
- Corporate Boundaries

Project Segments
- Segment 1
- Segment 2
- Segment 3
- Segment 4
- Segment 5
- Segment 6

NORTH Dakota Be Legendary. | Transportation

\\uei.com\storage\GISDatabases\2023\23.23600_US_52_4Lane\APRX\US 52 Notification Map.aprx

US HIGHWAY 52 FOUR LANE COMMENT CARD

PROJECT 4-052(109)101 PCN 24012 | 2.3 MILES WEST OF JUNCTION 79TH AVE SE TO VOLTAIRE

Email comments with the subject line:
Note: "*US Highway 52 Four Lane*" in the email subject heading

by **August 12, 2026** to:
Mike.Huffington@Ulteig.com

or mail comment card to:
Ulteig Operations LLC Attn:
Mike Huffington 3350 38th Ave South Fargo, ND 58104

Comment(s)

Leave this area blank

Name

Representing

Address

Phone

Email

COMMENT CARD

Comment(s)	*Leave this area blank*

WHEN IT RAINS IT DRAINS

After the Storm

For more information contact:

or visit
www.epa.gov/npdes/stormwater
www.epa.gov/nps

EPA United States Environmental Protection Agency

EPA 833-B-03-002

January 2003

Internet Address (URL) • HTTP://www.epa.gov
Recycled/Recyclable • Printed With Vegetable Oil Based Inks on 100% Postconsumer, Process Chlorine Free Recycled Paper

THE YEAR OF CLEAN WATER
Celebration & Recommitment

A Citizen's Guide to Understanding Stormwater

WHEN IT RAINS IT DRAINS

What is stormwater runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like driveways, sidewalks, and streets prevent stormwater from naturally soaking into the ground.

Why is stormwater runoff a problem?

Stormwater can pick up debris, chemicals, dirt, and other pollutants and flow into a storm sewer system or directly to a lake, stream, river, wetland, or coastal water. Anything that enters a storm sewer system is discharged untreated into the waterbodies we use for swimming, fishing, and providing drinking water.

The effects of pollution

Polluted stormwater runoff can have many adverse effects on plants, fish, animals, and people.

- Sediment can cloud the water and make it difficult or impossible for aquatic plants to grow. Sediment also can destroy aquatic habitats.
- Excess nutrients can cause algae blooms. When algae die, they sink to the bottom and decompose in a process that removes oxygen from the water. Fish and other aquatic organisms can't exist in water with low dissolved oxygen levels.
- Bacteria and other pathogens can wash into swimming areas and create health hazards, often making beach closures necessary.

- Debris—plastic bags, six-pack rings, bottles, and cigarette butts—washed into waterbodies can choke, suffocate, or disable aquatic life like ducks, fish, turtles, and birds.
- Household hazardous wastes like insecticides, pesticides, paint, solvents, used motor oil, and other auto fluids can poison aquatic life. Land animals and people can become sick or die from eating diseased fish and shellfish or ingesting polluted water.
- Polluted stormwater often affects drinking water sources. This, in turn, can affect human health and increase drinking water treatment costs.

Stormwater Pollution Solutions

Residential

Recycle or properly dispose of household products that contain chemicals, such as insecticides, pesticides, paint, solvents, and used motor oil and other auto fluids. Don't pour them onto the ground or into storm drains.

Lawn care

Excess fertilizers and pesticides applied to lawns and gardens wash off and pollute streams. In addition, yard clippings and leaves can wash into storm drains and contribute nutrients and organic matter to streams.

- Don't overwater your lawn. Consider using a soaker hose instead of a sprinkler.
- Use pesticides and fertilizers sparingly. When use is necessary, use these chemicals in the recommended amounts. Use organic mulch or safer pest control methods whenever possible.
- Compost or mulch yard waste. Don't leave it in the street or sweep it into storm drains or streams.
- Cover piles of dirt or mulch being used in landscaping projects.

Auto care

Washing your car and degreasing auto parts at home can send detergents and other contaminants through the storm sewer system. Dumping automotive fluids into storm drains has the same result as dumping the materials directly into a waterbody.

- Use a commercial car wash that treats or recycles its wastewater, or wash your car on your yard so the water infiltrates into the ground.
- Repair leaks and dispose of used auto fluids and batteries at designated drop-off or recycling locations.

Septic systems

Leaking and poorly maintained septic systems release nutrients and pathogens (bacteria and viruses) that can be picked up by stormwater and discharged into nearby waterbodies. Pathogens can cause public health problems and environmental concerns.

- Inspect your system every 3 years and pump your tank as necessary (every 3 to 5 years).
- Don't dispose of household hazardous waste in sinks or toilets.

Pet waste

Pet waste can be a major source of bacteria and excess nutrients in local waters.

- When walking your pet, remember to pick up the waste and dispose of it properly. Flushing pet waste is the best disposal method. Leaving pet waste on the ground increases public health risks by allowing harmful bacteria and nutrients to wash into the storm drain and eventually into local waterbodies.

Education is essential to changing people's behavior. Signs and markers near storm drains warn residents that pollutants entering the drains will be carried untreated into a local waterbody.

Residential landscaping

Permeable Pavement—Traditional concrete and asphalt don't allow water to soak into the ground. Instead these surfaces rely on storm drains to divert unwanted water. Permeable pavement systems allow rain and snowmelt to soak through, decreasing stormwater runoff.

Rain Barrels—You can collect rainwater from rooftops in mosquito-proof containers. The water can be used later on lawn or garden areas.

Rain Gardens and Grassy Swales—Specially designed areas planted with native plants can provide natural places for rainwater to collect and soak into the ground. Rain from rooftop areas or paved areas can be diverted into these areas rather than into storm drains.

Vegetated Filter Strips—Filter strips are areas of native grass or plants created along roadways or streams. They trap the pollutants stormwater picks up as it flows across driveways and streets.

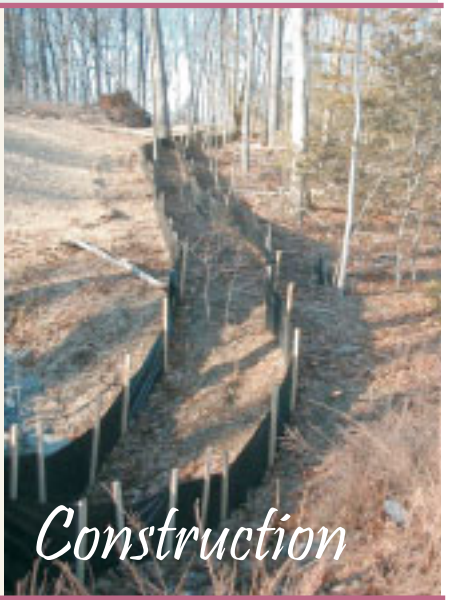
Commercial

Dirt, oil, and debris that collect in parking lots and paved areas can be washed into the storm sewer system and eventually enter local waterbodies.

- Sweep up litter and debris from sidewalks, driveways and parking lots, especially around storm drains.
- Cover grease storage and dumpsters and keep them clean to avoid leaks.
- Report any chemical spill to the local hazardous waste cleanup team. They'll know the best way to keep spills from harming the environment.

Erosion controls that aren't maintained can cause excessive amounts of sediment and debris to be carried into the stormwater system. Construction vehicles can leak fuel, oil, and other harmful fluids that can be picked up by stormwater and deposited into local waterbodies.

- Divert stormwater away from disturbed or exposed areas of the construction site.
- Install silt fences, vehicle mud removal areas, vegetative cover, and other sediment and erosion controls and properly maintain them, especially after rainstorms.
- Prevent soil erosion by minimizing disturbed areas during construction projects, and seed and mulch bare areas as soon as possible.

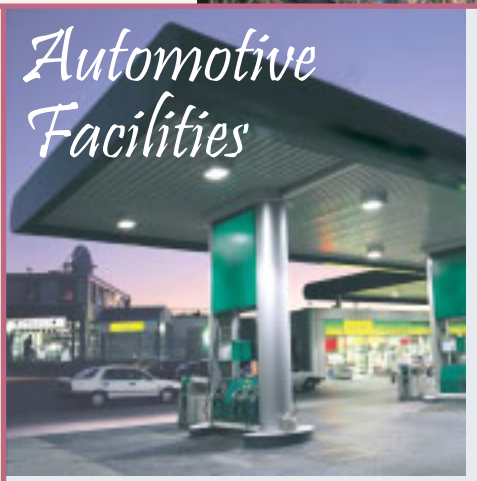


Construction

Agriculture

Lack of vegetation on streambanks can lead to erosion. Overgrazed pastures can also contribute excessive amounts of sediment to local waterbodies. Excess fertilizers and pesticides can poison aquatic animals and lead to destructive algae blooms. Livestock in streams can contaminate waterways with bacteria, making them unsafe for human contact.

- Keep livestock away from streambanks and provide them a water source away from waterbodies.
- Store and apply manure away from waterbodies and in accordance with a nutrient management plan.
- Vegetate riparian areas along waterways.
- Rotate animal grazing to prevent soil erosion in fields.
- Apply fertilizers and pesticides according to label instructions to save money and minimize pollution.



Automotive Facilities

Uncovered fueling stations allow spills to be washed into storm drains. Cars waiting to be repaired can leak fuel, oil, and other harmful fluids that can be picked up by stormwater.

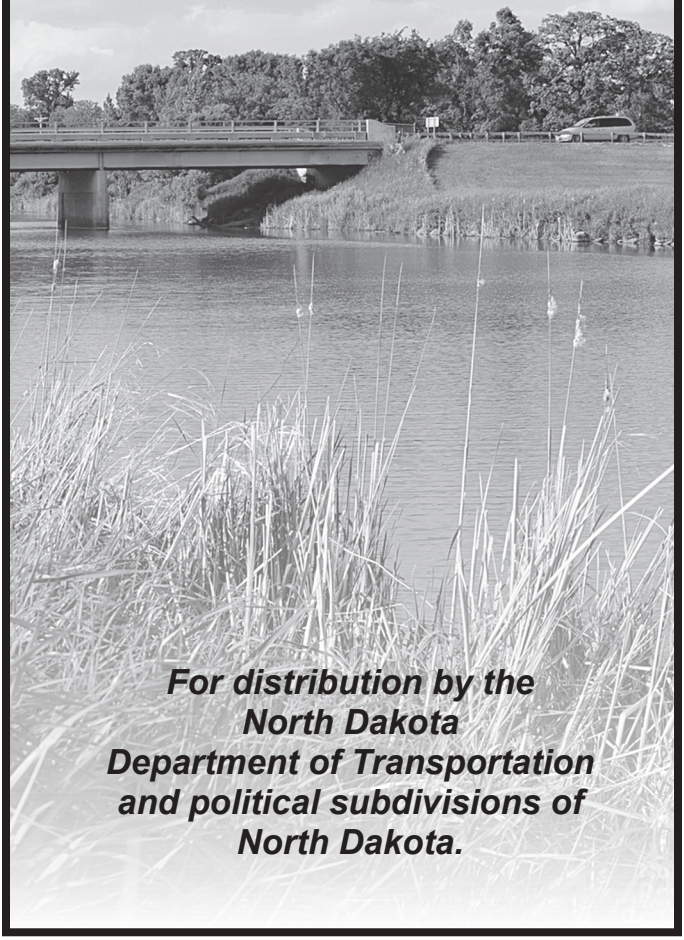
- Clean up spills immediately and properly dispose of cleanup materials.
- Provide cover over fueling stations and design or retrofit facilities for spill containment.
- Properly maintain fleet vehicles to prevent oil, gas, and other discharges from being washed into local waterbodies.
- Install and maintain oil/water separators.

Forestry

Improperly managed logging operations can result in erosion and sedimentation.

- Conduct preharvest planning to prevent erosion and lower costs.
- Use logging methods and equipment that minimize soil disturbance.
- Plan and design skid trails, yard areas, and truck access roads to minimize stream crossings and avoid disturbing the forest floor.
- Construct stream crossings so that they minimize erosion and physical changes to streams.
- Expedite revegetation of cleared areas.

Information for Highway and Street Projects



For distribution by the North Dakota Department of Transportation and political subdivisions of North Dakota.

NDDOT
North Dakota
Department of Transportation

Prepared by

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION
Bismarck, North Dakota
dot.nd.gov

January 2016

ETS0116

Steps in Highway Planning, Design, and Construction

TRAFFIC SURVEYS

Traffic surveys are studies of the traffic flow from which engineers can determine the numbers and types of vehicles using a specific length of highway on any given day or hour.

Surveys are taken by means of mechanical counters and personal interviews. This information, along with maintenance cost records and safety issues, is the basis for determining the need for a new or improved highway or street.

PROGRAMMING

After highway or street improvement needs are established, they are presented to planning engineers and are included in a long-range highway or street program. Each proposed improvement is then considered, along with other improvements, and is given a priority and placed in the program.

PRELIMINARY ENGINEERING

Preliminary engineering covers all studies and surveys necessary to plan and design a highway or street.

The location engineer, through the use of aerial photographs and on-site inspection, studies the terrain in the area, selects the most feasible routes, and presents them to engineers in other specialized fields for study. The engineer prepares a cost estimate and analyzes the advantages and disadvantages of each route.

The final route is selected after public meetings/hearings. Surveys are then completed including laying out a centerline and measuring elevation and drainage. The exact location of all buildings, fences, power poles, dams, wells, corrals, and other improvements is also documented.

PUBLIC MEETINGS/HEARINGS

Public meetings/hearings provide the public an early opportunity to comment on projects. Public meetings/hearings are held in the locale of most projects. Notices of scheduled meetings/hearings are published in local newspapers and press releases are sent to media.

All available facts are gathered and presented at these meetings/hearings. The public is invited to present their views. Everyone is urged to attend and will be given the opportunity to comment and ask questions concerning the proposed route. You may be able to provide useful information that the North Dakota Department of Transportation (NDDOT) or the political subdivision can use as it makes a final decision on the proposed project.

FINAL DESIGN

Final design of the project begins as soon as the exact project location is decided.

Design plans will describe in detail how the highway or street will be built. This includes grades, drainage, slopes, and other details, as well as the limits of the necessary right of way which must be acquired for construction.

VALUATIONS

Highway or street construction projects will, at times, require additional right of way from adjoining properties. Depending upon a project's specific design requirements, private property may have to be acquired partially or in total; either permanently (i.e. in fee, or by easement), temporarily (e.g. temporary construction easement), or a combination thereof.

Before right of way is acquired, NDDOT will first establish and submit to the property owner a written offer of the amount believed to be just compensation. Depending upon the complexity of the acquisition, this offer will either be based upon a Waiver Valuation or an approved appraisal. Both methods employ

the Sales Comparison Approach, one of the most common methods of property valuation. Regardless of the method used, the same basic valuation principles used nationwide are employed by NDDOT to ensure that the property's market value estimate is developed objectively and impartially. This provides the best assurance that NDDOT's offer will be fair and reasonable to both the property owner and the general public.

If NDDOT or the acquiring local public agency believes the acquisition of the property is uncomplicated, and a review of available data supports a fair market value that is $10,000 or less, a Waiver Valuation will be prepared as the basis for the agency's offer.

An appraisal will be prepared when the acquisition is complex or otherwise does not meet Waiver Valuation criteria. The appraiser will offer you, the property owner, the right to be present during the inspection of the property. If you are unable or don't wish to be present during the inspection, you may appoint a representative to be present in your place. It is to your benefit to accompany the appraiser on the inspection, as it is an opportunity to point out any features of the property that you believe may be relevant to its valuation. A thorough appraisal provides the best assurance of a satisfactory settlement.

The appraiser will personally inspect the property and will review the details of the proposed acquisition with you or your representative. If only part of the property is to be acquired, the appraiser will also explain how the acquisition will affect the remaining property. The appraiser will consider all information pertinent to the value of your property, including (but not limited to) recent sales of comparable property, construction costs, rental values, etc.

When only part of the property is acquired, the appraiser will evaluate the effects of the acquisition on the property remaining, taking into consideration any damages that accrue from the acquisition, such as a separation of the remaining property into two

or more parcels; the cost of moving or constructing new fences; or restrictions on access to and from the highway or street. Special benefits, which result in an increase in the value of the remaining property, are also considered.

After completing the investigation, the appraiser prepares a written report describing in detail the basis for the appraisal. The completed appraisal report is then submitted to NDDOT for critical review. As part of the review process, the Review Appraiser may view your property and recommend additions or corrections to the original appraisal. The review will consider whether the work provides a credible basis for the appraiser's opinion, while meeting minimum standards of professional appraisal practice. Only after a thorough review concludes that the work meets these criteria will the appraisal be approved as a basis for the Agency's offer. Should the review conclude that the work is not acceptable, a new appraisal will be obtained and the review process will begin anew. The appraisal and review processes are a system of "checks-and-balances," designed to ensure an objective, impartial, and credible valuation.

If, for some reason, you do not wish to have your property appraised, another option is available. Property owners may waive the right to an appraisal, choosing instead to donate all or part of the property interest needed for the project. Donations are a common practice when the acquisition is small in size and the value is minimal.

NEGOTIATION

All real estate transactions are the result of discussions between two parties. These discussions are called negotiations and are essential in reaching an agreement satisfactory to both parties.

An acquisition agent, representing NDDOT or the political subdivision, will meet with you to give you a firm offer, in writing, for the necessary right of way.

The agent's primary duty is to advise and assist you in every possible way as to the process of selling

your property to NDDOT or the political subdivision.

It is the agent's obligation to be knowledgeable about the highway or street system and real estate transactions. The agent:

- Can answer many of the questions you may ask about the effect of the proposed improvement on your property.
- Can answer most questions about mortgages, liens, taxes, legal documents, and many other topics.
- Will have all the necessary documents, and will be willing to explain them to you.
- Can help you arrange a release of a mortgage or lien if necessary.
- Must inform you of your rights in eminent domain and, when applicable, your reimbursement rights for moving personal property as well as your possible eligibility for the Relocation Assistance Program.
- A voucher copy of the transaction will be provided when you receive payment.

NDDOT and the political subdivision recognize that some property owners do not care to sell, and at times there will be some inconvenience connected with the sale. It is intended, however, that when negotiations are complete, you can say that you have been treated courteously and fairly.

ALTERNATIVE TO SETTLEMENT

When, for some reason, the necessary right of way cannot be acquired by a negotiated settlement, the representatives of NDDOT or the political subdivision have the right to take the needed right of way through the laws of eminent domain. These are laws under which NDDOT and nearly all political subdivisions, as well as certain utility companies, have the right to take private property for the benefit of the public. These laws also protect the rights of the

property owner by requiring that fair market value be paid for all property acquired.

This action, more commonly known as “condemnation,” is undertaken in North Dakota in accordance with pertinent statutes under Article 1, Section 16, of the North Dakota Constitution. It is used only when necessary.

When condemnation becomes necessary, NDDOT or the political subdivision place a monetary deposit with the clerk of court of your county. This deposit must be a reasonable offer for the damages incurred. NDDOT and the political subdivision may have the right to immediate possession of the condemned property, depending on their specific charters, bylaws, etc.

The property owner is notified by the clerk of court of the action and the amount deposited. At this point the property owners may either accept the offer and withdraw the total amount deposited or file an appeal with the district court for determination of damages. This appeal must be filed within 30 days after receiving the notice from the clerk of court. Property owners who withdraw the deposited payment still may appeal, as may others with an interest in the property.

Although it is not legally required as part of eminent domain proceedings, NDDOT or the political subdivision also sends a notice to each party having an interest in the property. This informs the property owner of the action and advises that when condemnation is undertaken; all improvements including buildings, fences, dams, wells, etc., on the condemned right of way become the property of the state, county, or city. The improvements cannot be removed without written approval from NDDOT or the political subdivision.

RELOCATION ASSISTANCE

Under state and federal laws, all persons who are required to move or relocate their family or business as a result of the taking of right of way for highway

or street purposes are entitled to certain rights and compensations. These are explained in detail in another brochure given to all persons forced to relocate. In most cases, an agent from NDDOT will help with the relocation assistance process.

CONTRACTS LET (BID)

Nearly all construction projects are let to competitive bids. Public bid lettings, at which contractors are invited to offer bids, are held periodically. Results of these bids are then considered and contracts are awarded to the lowest bidder capable of handling each project. All right of way must be acquired or condemned before construction contracts are advertised for bids.

FREQUENTLY ASKED QUESTIONS

When can I expect payment?

Generally, payment for right of way can be expected within 30 days following transfer of title. Titles clouded by mortgages, judgements, liens, etc., will probably take somewhat longer.

What about the mortgage on my property?

Representatives from NDDOT and the political subdivision generally make arrangements with mortgagees for release of mortgaged property. Payment for mortgaged property is usually made to the owner and the mortgagee jointly, and arrangements for division of the payment must be worked out between them.

What about my buildings?

Owners of right of way involving buildings are generally given a choice of plans for consideration in negotiated settlements. First, NDDOT or the political subdivision offers to purchase the buildings outright along with the land, in which case the buildings are later sold at public auction or by sealed bids. Second, the property owner may choose to retain the improvements at a predetermined salvage value.

The salvage value will be deducted from the overall purchase price. Third, consideration will be given to payment for the cost of moving the buildings.

NDDOT and the political subdivisions have the responsibility to make sure, in all transactions involving the moving of buildings, that the cost to move the buildings does not exceed the value of the buildings in place. This would be an unwise expenditure of public funds.

How soon will I have to move?

Every effort will be made to give occupants enough time to relocate. Ordinarily at least 90 days from the date of acquisition will be allowed.

Additional comments and answers to relocation questions most often asked are covered in the relocation brochure.

Must I pay income tax on the money received?

The sale of your property for highway or street purposes is considered by the Internal Revenue Service (IRS) as an “involuntary conversion.” It is not necessary to pay income tax or capital tax if the money you receive is similarly reinvested within a given time. You should, however, check with the IRS or a local tax consultant for answers to your questions.

Where can I get additional information?

The acquisition agent who contacts you to purchase your property can usually provide any information requested, or will find it and report back to you.

FOR MORE INFORMATION ON:

County and City Projects

Contact the local public agency or municipality in which the project is located.

You may also contact:

- NDDOT, Local Government Division
  Office 701-328-2540

State Highway Projects

- Project Design Issues, NDDOT, Design Division
  Office 701-328-2555

State Highway Projects

- Right of Way and Relocation Assistance issues
  NDDOT, ETS Division
  Office 701-328-2590
  Toll-Free: 866-785-1596
  Fax 701-328-0310
  TTY. . . . . .711 or 1-800-366-6888

Reasonable Accommodations

- NDDOT, Civil Rights Division
  Office 701-328-2978
  Email . . . . . .civilrights@nd.com
  TTY. . . . . .711 or 1-800-366-6888

The 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).
- Translations of written material necessary to access NDDOT programs and information

To request accommodations, contact
Civil Rights Division
North Dakota Department of Transportation
701-328-2978 or civilrights@nd.gov
TTY users may use Relay North Dakota at
711 or 1-800-366-6888.

Appendix D, Exhibits Presented

MINOT
Logan
SAWYER
VELVA
VOLTAIRE
BERGEN
Ward County
McHenry County
Segment 1
Segment 2
Segment 3
Segment 4
Segment 5
Segment 6
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
154N 83W
154N 82W
154N 81W
154N 80W
154N 79W
154N 78W
153N 83W
153N 82W
153N 81W
153N 80W
153N 79W
153N 78W
152N 83W
152N 82W
152N 81W
152N 80W
152N 79W

Need More Detail?

View the projects online!
Use the URL or QR code below to take a more detailed look at the planned improvements.

https://arcg.is/1DuXiL4

US 52 Four Lane Project Segments
Ward and McHenry Counties, ND

Ulteig

N
0 1 2 4 Miles
1:47,222

Project Location
Minot
Williston
Grand Forks
Dickinson
Bismarck
Jamestown
Fargo
North Dakota

US 52 Mile Markers
Project Beginning/End Point
State Highway
US Highway
Railroads
Township Lines
Section Lines
County Boundary
Corporate Boundaries

Project Segments
Segment 1
Segment 2
Segment 3
Segment 4
Segment 5
Segment 6

NORTH Dakota | Transportation
Be Legendary.

\\uei.com\storage\GISDatabases\2023\23.23600_US_52_4Lane\APRX\US 52 Notification Map.aprx

Proposed Flush Median

Proposed Depressed Median

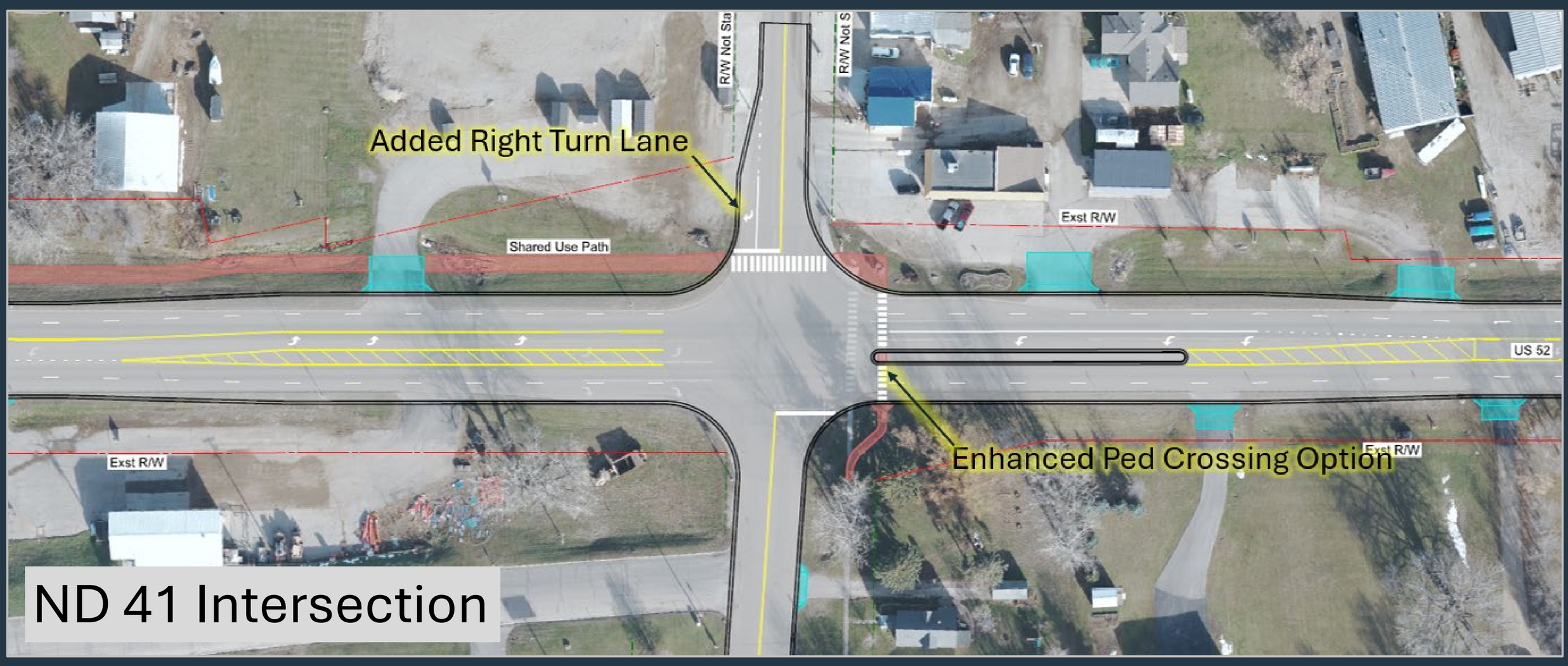
NORTH Dakota | Transportation

Be Legendary.

Ulteig

We listen. We solve.®

Velva Typical Section



ND 41 Intersection

Velva Shared Use Path

Velva

Ulteig

We listen. We solve.®

NORTH Dakota | Transportation

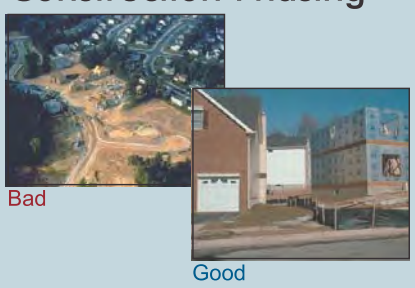
Be Legendary.

Stormwater and the **Construction Industry**

Protect Natural Features

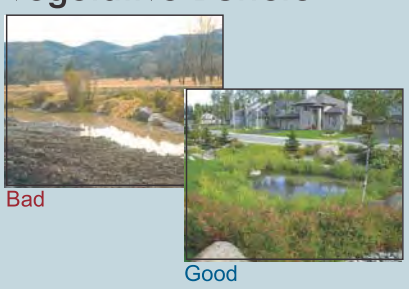
- Minimize clearing.
- Minimize the amount of exposed soil.
- Identify and protect areas where existing vegetation, such as trees, will not be disturbed by construction activity.
- Protect streams, stream buffers, wild woodlands, wetlands, or other sensitive areas from any disturbance or construction activity by fencing or otherwise clearly marking these areas.

Construction Phasing



- Sequence construction activities so that the soil is not exposed for long periods of time.
- Schedule or limit grading to small areas.
- Install key sediment control practices before site grading begins.
- Schedule site stabilization activities, such as landscaping, to be completed immediately after the land has been graded to its final contour.

Vegetative Buffers



- Protect and install vegetative buffers along waterbodies to slow and filter stormwater runoff.
- Maintain buffers by mowing or replanting periodically to ensure their effectiveness.

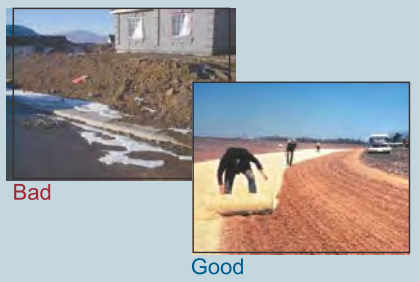
Silt Fencing

- Inspect and maintain silt fences after each rainstorm.
- Make sure the bottom of the silt fence is buried in the ground.
- Securely attach the material to the stakes.
- Don't place silt fences in the middle of a waterway or use them as a check dam.
- Make sure stormwater is not flowing around the silt fence.

Maintain your BMPs!

www.epa.gov/npdes/menuofbmps

Site Stabilization



- Vegetate, mulch, or otherwise stabilize all exposed areas as soon as land alterations have been completed.

Construction Entrances

- Remove mud and dirt from the tires of construction vehicles before they enter a paved roadway.
- Properly size entrance BMPs for all anticipated vehicles.
- Make sure that the construction entrance does not become buried in soil.

Slopes

- Rough grade or terrace slopes.
- Break up long slopes with sediment barriers, or under drain, or divert stormwater away from slopes.

Dirt Stockpiles

- Cover or seed all dirt stockpiles.

Storm Drain Inlet Protection

- Use rock or other appropriate material to cover the storm drain inlet to filter out trash and debris.
- Make sure the rock size is appropriate (usually 1 to 2 inches in diameter).
- If you use inlet filters, maintain them regularly.

Stormwater and the **Construction Industry**

Planning and Implementing Erosion and Sediment Control Practices

The construction industry is a critical participant in the nation's efforts to protect streams, rivers, lakes, wetlands, and oceans. Through the use of best management practices (BMPs), construction site operators are the key defense against erosion and sedimentation.

As stormwater flows over a construction site, it picks up pollutants like sediment, debris, and chemicals. High volumes of stormwater can also cause stream bank erosion, and destroy downstream aquatic habitat. Preventing soil erosion and sedimentation is an important responsibility at all construction sites.

In addition to the environmental impact, uncontrolled erosion can have a significant financial impact on a construction project. It costs money and time to repair gullies, replace vegetation, clean sediment-clogged storm drains, replace poorly installed BMPs, and mitigate damage to other people's property or to natural resources.

Best Management Practice (BMP)
A BMP is a method used to prevent or control stormwater runoff and the discharge of pollutants, including sediment, into local waterbodies. Silt fences, inlet protection, and site-stabilization techniques are typical BMPs on a construction site.

Operator
An operator is someone who has control over and the ability to modify construction plans and specifications (e.g. owner, general contractor)

or

Someone who has control over the day-to-day operations at a site (e.g., owner, general contractor) that are necessary to ensure compliance with the permit requirements. It is the responsibility of a construction site owner or operator to contain stormwater runoff and prevent erosion during all stages of a project.

There may be more than one person at a site who meets these definitions and must apply for permit coverage. (States may have different definitions of the term "operator.")

So what's being done about polluted runoff?

The Clean Water Act includes the National Pollutant Discharge Elimination System (NPDES) permitting program. As of January 2003, 44 states and territories are authorized to issue NPDES stormwater permits. If your state isn't authorized to operate the NPDES stormwater permit program, EPA issues the permits. Permits vary from state to state, so contact your state or EPA for specific information. Your permitting authority has specific information on your state's NPDES stormwater permit program. In general, construction permits require construction operators to do all of the following:

- Develop and implement a stormwater pollution prevention plan
- Submit a permit application or notice of intent (NOI)
- Comply with the permit, including maintaining BMPs and inspecting the site

Under the NPDES program, construction activities that disturb 1 or more acres are required to obtain stormwater permit coverage. States have different names for the plans that construction operators must develop, such as

- Stormwater pollution prevention plan
- Erosion and sediment control plan
- Erosion control and stormwater management plan
- Stormwater management plan
- Water pollution control plan
- Pollution prevention plan

This document uses the term "Plan."

I think I need a permit… Where do I start?

All land-disturbing activities, including clearing, grading, and excavation, that disturb 1 or more acresare required to be covered under a state or EPA-issued NPDES construction stormwater permit prior to land disturbance . Permit requirements vary by state. Begin by researching the specific requirements in your state. You might already be subject to local erosion and sediment control requirements, but that doesn't release you from the requirements of the NPDES program at the state or EPA level. Although you must comply with both sets of requirements, in most cases they have been designed to be complementary. Contact your permitting authority to find out exactly what you need to do. A good place to start your search is the Construction Industry Compliance Assistance web site at http://www.envcap.org/cica.

The NPDES permit requirements include small construction activities that are part of a larger common plan of development or sale, such as a single lot within a larger subdivision. For developments with multiple operators, all operators must have permit coverage for their individual parts of the larger development, no matter how large or small each operation happens to be. When there are multiple operators at one site, they're encouraged to develop and share one comprehensive Plan and obtain permit coverage as co-permitees.

The owner or operator of the construction site is responsible for complying with the requirements of the permit. Responsibilities include developing a Plan, obtaining permit coverage, implementing BMPs, and stabilizing the site at the end of the construction activity.

Construction sites that discharge unpermitted stormwater are in violation of the Clean Water Act and may be subject to fines of up to $27,500 a day per violation.

Determine your eligibility

All construction activity that disturbs 1 or more acres of land, as well as activity that disturbs less than 1 acre but is part of a larger common plan of development, must obtain permit coverage.

Read and understand your stormwater permit requirements

Get a copy of the permit for construction activities and a permit application (or notice of intent form) from your state or EPA permitting authority.

Develop a Plan

Most states do not require you to submit your Plan. However, you do need to keep the Plan on site. If that's impractical, you may post a notice that tells where the Plan is kept so it can be accessed by the permitting authority and other interested parties.

You'll need to post a copy of your completed application on site. Put it in a place where the public can see it so they'll know your site is covered by an NPDES permit!

Apply for permit coverage

Once you understand your permit requirements and have developed a Plan, you can submit a stormwater permit application (or notice of intent) to your permitting authority. This must be done before beginning any land disturbance on the site. Some states require a few days of lead time, so check with your permitting authority. Once you've submitted the application, you must satisfy the conditions of the permit.

Implement the Plan

Be prepared to implement the BMPs in your Plan before construction begins. Ensure that BMPs are properly maintained, and upgrade and repair them as necessary.

Developing and Implementing a Plan

You must have a Plan that includes erosion and sediment control and pollution prevention BMPs. These Plans require

- Advance planning and training to ensure proper implementation of the BMPs
- Erosion and sediment control BMPs in place until the area is permanently stabilized
- Pollution prevention BMPs to keep the construction site "clean"
- Regular inspection of the construction site to ensure proper installation and maintenance of BMPs

Fortunately, the practices and measures that must be included in your Plan are already part of the standard operating procedures at many construction sites.

Six steps are associated with developing and implementing a stormwater Plan. There's a wealth of information available on developing pollution prevention plans. Please contact your permitting authority for help in finding additional guidance materials, or visit www.epa.gov/npdes/stormwater. A sample construction plan is available at www.epa.gov/npdes/pubs/sample_swppp.pdf.

1. Site Evaluation and Design Development

- Collect site information
- Develop site plan design
- Prepare pollution prevention site map

The first step in preparing a Plan is to define the characteristics of the site and the type of construction that will occur. This involves collecting site information, identifying natural features that should be protected, developing a site plan design, describing the nature of the construction activity, and preparing a pollution prevention site map.

2. Assessment

- Measure the site area
- Determine the drainage areas
- Calculate the runoff coefficient

The next step is assessing the impact the project will have on stormwater runoff. Determine the drainage areas and estimate the runoff amounts and velocities. For more information on calculating the runoff coefficient, go to www.epa.gov/npdes/pubs/chap02_conguide.pdf, page 11.

3. Control Selection and Plan Design

- Review and incorporate state or local requirements
- Select erosion and sediment controls
- Select other controls
- Select stormwater management controls
- Indicate the location of controls on the site map
- Prepare an inspection and maintenance plan
- Coordinate controls with construction activity
- Prepare sequence of major activities

In the third step you'll actually document your procedures to prevent and control polluted stormwater runoff. You must delineate areas that will not be disturbed, including critical natural areas like streamside areas, floodplains, and trees. You must also identify the measures (or BMPs) you'll use to protect these areas.

Soil erosion control tips…

- Design the site to infiltrate stormwater into the ground and to keep it out of storm drains. Eliminate or minimize the use of stormwater collection and conveyance systems while maximizing the use of stormwater infiltration and bioretention techniques.
- Minimize the amount of exposed soil on site.
  - To the extent possible, plan the project in stages to minimize the amount of area that is bare and subject to erosion. The less soil exposed, the easier and cheaper it will be to control erosion.
  - Vegetate disturbed areas with permanent or temporary seeding immediately upon reaching final grade.
  - Vegetate or cover stockpiles that will not be used immediately.
- Reduce the velocity of stormwater both onto and away from the project area.
  - Interceptors, diversions, vegetated buffers, and check dams are a few of the BMPs that can be used to slow down stormwater as it travels across and away from the project site.
  - Diversion measures can also be used to direct flow away from exposed areas toward stable portions of the site.
  - Silt fences and other types of perimeter filters should never be used to reduce the velocity of runoff.
- Protect defined channels immediately with measures adequate to handle the storm flows expected.
  - Sod, geotextile, natural fiber, riprap, or other stabilization measures should be used to allow the channels to carry water without causing erosion. Use softer measures like geotextile or vegetation where possible to prevent downstream impacts.
- Keep sediment on site.
  - Place aggregate or stone at construction site vehicle exits to accommodate at least two tire revolutions of large construction vehicles. Much of the dirt on the tires will fall off before the vehicle gets to the street.
  - Regular street sweeping at the construction entrance will prevent dirt from entering storm drains. Do not hose paved areas.
  - Sediment traps and basins are temporary structures and should be used in conjunction with other measures to reduce the amount of erosion.
- Maintaining all BMPs is critical to ensure their effectiveness during the life of the project.
  - Regularly remove collected sediment from silt fences, berms, traps, and other BMPs.
  - Ensure that geotextiles and mulch remain in place until vegetation is well established.
  - Maintain fences that protect sensitive areas, silt fences, diversion structures, and other BMPs.

Phasing your project to minimize the amount of exposed soil at any given time is a highly effective way to prevent erosion. Erosion control measures designed to prevent soil from being mobilized include diversions to route stormwater away from exposed soils and stabilization with vegetation, mulch, and geotextiles. Sedimentation control measures designed to remove sediment from stormwater or prevent it from leaving the site include silt fences, sediment traps, and diversions.

You'll need to select erosion and sediment controls—including stabilization measures for protecting disturbed areas and structural controls for diverting run-off and removing sediment—that are appropriate for your particular site. The appropriateness of the control measures will depend on several factors, but will be influenced most directly by the site characteristics. Some stabilization measures you might consider are temporary seeding, permanent seeding, and mulching. Structural control measures include earth dikes, silt fences, and sediment traps. No single BMP will meet all of the erosion and sedimentation control needs of a construction site. A combination of BMPs is necessary. For more information on the types of BMPs appropriate for your construction site, see the BMP fact sheet series available at www.epa.gov/npdes/menuofbmps.

Other BMPs and Activities to Control Polluted Runoff

You'll need to select other controls to address potential pollutant sources on your site. Construction materials, debris, trash, fuel, paint, and stockpiles become pollution sources when it rains. Basic pollution prevention practices can significantly reduce the amount of pollution leaving construction sites. The following are some simple practices that should be included in the Plan and implemented on site:

- Keep potential sources of pollution out of the rain as practicable (e.g., inside a building, covered with plastic or tarps, or sealed tightly in a leak-proof container).
- Clearly identify a protected, lined area for concrete truck washouts. This area should be located away from streams, storm drain inlets, or ditches and should be cleaned out periodically.
- Park, refuel, and maintain vehicles and equipment in one area of the site to minimize the area exposed to possible spills and fuel storage. This area should be well away from streams, storm drain inlets, or ditches. Keep spill kits close by and clean up any spills or leaks immediately, including spills on pavement or earthen surfaces.
- Practice good housekeeping. Keep the construction site free of litter, construction debris, and leaking containers. Keep all waste in one area to minimize cleaning.
- Never hose down paved surfaces to clean dust, debris, or trash. This water could wash directly into storm drains or streams. Sweep up materials and dispose of them in the trash. Never bury trash or debris!
- Dispose of hazardous materials properly.

4. Certification and Notification

- Certify the Plan
- Submit permit application or notice of intent

Once the Plan has been developed, an authorized representative must sign it. Now is the time to submit the permit application or notice of intent. Your permit might require that the Plan be kept on site, so be sure to keep it available for the staff implementing the Plan.

Erosion and sedimentation control practices are only as good as their installation and maintenance.

5. Implementing and Maintaining a Plan

- Implement controls
- Inspect and maintain controls
- Update/change the Plan
- Report releases of hazardous materials

A Plan describes the practices and activities you'll use to prevent stormwater contamination and meet the NPDES permit requirements. Make sure that the Plan is implemented and that the Plan is updated as necessary to reflect changes on the site.

Erosion and sedimentation control practices are only as good as their installation and maintenance. Train the contractors that will install the BMPs and inspect immediately to ensure that the BMPs have been installed correctly.

Regularly inspect the BMPs (especially before and after rain events) and perform any necessary repairs or maintenance immediately. Many BMPs are designed to handle a limited amount of sediment. If not maintained, they'll become ineffective and a source of sediment pollution.

It's also important to keep records of BMP installation, implementation, and maintenance. Keep track of major grading activities that occur on the site, when construction activities cease (temporarily or permanently), and when a site is temporarily or permanently stabilized.

If construction plans change at any time, or if more appropriate BMPs are chosen for the site, update the Plan accordingly.

6. Completing the Project: Final Stabilization and Termination of the Permit

- Final stabilization
- Notice of Termination
- Record retention

Many states and EPA require a Notice of Termination (NOT) or other notification signifying that the construction activity is completed. An NOT is required when

- Final stabilization has been achieved on all portions of the site for which the permittee is responsible.
- Another operator has assumed control over all areas of the site that have not been finally stabilized. That operator would need to submit a new permit application to the permitting authority.
- For residential construction only, temporary stabilization of a lot has been completed prior to transference of ownership to the homeowner, with the homeowner being made aware of the need to perform final stabilization.

Permittees must keep a copy of their permit application and their Plan for at least 3 years following final stabilization. This period may be longer depending on state and local requirements.

Preconstruction Checklist

- A site description, including
  - Nature of the activity
  - Intended sequence of major construction activities
  - Total area of the site
  - Existing soil type and rainfall runoff data

  A site map with:
  - Drainage patterns
  - Approximate slopes after major grading
  - Area of soil disturbance
  - Outline of areas which will not be disturbed
  - Location of major structural and nonstructural soil erosion controls
  - Areas where stabilization practices are expected to occur
  - Surface waters
  - Stormwater discharge locations
  - Name of the receiving water(s)
- A description of controls:
  - Erosion and sediment controls, including
    - Stabilization practices for all areas disturbed by construction
    - Structural practices for all drainage/discharge locations
  - Stormwater management controls, including
    - Measures used to control pollutants occurring in stormwater discharges after construction activities are complete
    - Velocity dissipation devices to provide nonerosive flow conditions from the discharge point along the length of any outfall channel
  - Other controls, including
    - Waste disposal practices that prevent discharge of solid materials
    - Measures to minimize offset tracking of sediments by construction vehicles
    - Measures to ensure compliance with state or local waste disposal, sanitary sewer, or septic system regulations
  - Description of the timing during the construction when measures will be implemented
- State or local requirements incorporated into the Plan
- Inspection and maintenance procedures for control measures idenified in the Plan
- Contractor certification and Plan certification

Implementation Checklist

- Maintain records of construction activities, including
  - Dates when major grading activities occur
  - Dates when construction activities temporarily cease on the site or a portion of the site
  - Dates when construction activities permanently cease on the site or a portion of the site

  Dates when stabilization measures are completed on the site
- Prepare inspection reports summarizing
  - Name of person conducting BMP inspections
  - Qualifications of person conducting BMP inspections
  - BMPs/areas inspected
  - Observed conditions
  - Necessary changes to the Plan
- Report releases of reportable quantities of oil or hazardous materials
  - Notify the National Response Center at 800-424-8802 immediately
  - Report releases to your permitting authority immediately, or as specified in your permit. You must also provide a written report within 14 days.
  - Modify the Plan to include
    - The date of release
    - Circumstances leading to the release
    - Steps taken to prevent reoccurrence of the release
- Modify Plan as necessary
  - Incorporate requests of the permitting authority to bring the Plan into compliance
  - Address changes in design, construction operation, or maintenance that affect the potential for discharge of pollutants

An ounce of prevention is worth a pound of cure! It's far more efficient and cost-effective to prevent pollution than it is to try to correct problems later. Installing and maintaining simple BMPs and pollution prevention techniques on site can greatly reduce the potential for stormwater pollution and can also save you money!

For more information visit - www.epa.gov/npdes/stormwater or www.dot.nd.gov/divisions/environmental/storm-water/storm-water-management.htm

EPA
United States Environmental Protection Agency
EPA 833-H-03-001
April 2003
Recycled/Recyclable
Printed with vegetable-based ink on paper that contains a minimum of 50% post-consumer fiber content processed chlorine-free.

NDDOT
North Dakota Department of Transportation

Appendix E, Presentation Slides

1

Logan
Sawyer
Velva
Voltaire
Surrey
Minot
Burlington
Des Lacs
Kenmare
Bowbells
Crosby
Noonan
Fortuna
Columbus
Powers Lake
Tioga
Stanley
Ryder
Makoti
Parshall
Plaza
Palermo
Mohall
Sherwood
Portal
Westhope
Lansford
Bottineau
Newburg
Upham
Kramer
Donnybrook
Bowdon
Harvey
Wells
Fessenden
Harvey
Carrington
Glenfield
Sykeston
Wilton
Goodrich

Highway 52 S
County Road 19 S

3

Logan
Simcoe
Sawyer
Velva
Voltaire
Passing Lanes
Eastbound Passing Lane Location
Westbound Passing Lane Location
Hwy 52 Allignment
Ward Allignment
McHenry Allignment

4

5

Purpose & Need

- Perceived Safety Issues
- Legislative Funding Obligations
- Existing and Future Traffic Needs
- Social and Economic Demand

01
/
09

6

Perceived Safety Issues

- Crash rates fall within typical ranges

Segment	Segment Description	Total Crashes (2018-2022)	Crash Rate (Per Million Vehicle Miles Traveled)	
			Observed	Typical Range
1	RP 101 to Sawyer	38	0.45	0.45 to 0.75
2	Sawyer to Velva City Limits	27	0.73	0.45 to 0.75
3	Through Velva	7	1.05	0.87 to 2.86
4	Velva City Limits to RP 123	10	0.50	0.45 to 0.75
	TOTAL	**82**		

02 / 09

7

Perceived Safety Issues

- Truck Volumes

03 / 09

8

Perceived Safety Issues

- Steep Terrain
- Guardrail
- Limited Shoulders

04 / 09

9

VISION ZERO
Zero fatalities. Zero excuses.

Predicted Safety Benefits of Four-Lane Expansion

Based on FHWA Interactive Highway Safety Design Model predictive analysis

Expanding the existing two-lane corridor to four lanes is anticipated to reduce key crash potentials.

74% reduction	64% reduction	42% reduction
Head-on crash potential	Angle crash potential	Rear-end crash potential
anticipated reduction	anticipated reduction	anticipated reduction

Percent reductions reflect predicted crash potential changes; they should be presented as model-based estimates, not observed crash reductions.

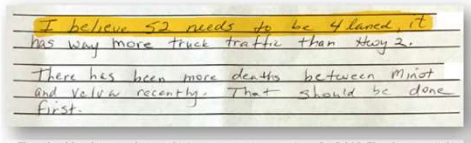
05 / 09

10

Legislative Funding Obligations

- Local push for four-lane expansion
- 2023 Legislative Session - House Bill 1012

06 / 09


I believe 52 needs to be 4 laned, it has way more truck traffic than Hwy 2. There has been more deaths between Minot and Velva recently. That should be done first.

> They should make a turn lane at the Logan east entrance exit on Co. Rd 19. They have passed it up twice and if any of the road engineers have driven on Hwy 52 and tried to turn off on that exit they would know what I am talking about. They made good turn lanes at the Sawyer Co Rd. 19.
> They should make Hwy 52 a 4 lane all the way to Velva, passing lanes will not work there at 7:00 AM to 8:00AM you will never be able to get back on 52 regular lane due high traffic. No one will be using them for that reason. From Minot to Velva the road is a death trap with high volume commuter traffic and truck traffic.
>
>
> Mitch Moldenhauer

Ms. Turnbow,

Passing lanes on Hwy 52 are greatly needed along with 4 lanes. I think 4 lanes from where they end east of Minot to east of Logan would save lives. This stretch of roadway is heavily traveled and needs more than passing lanes to save lives. As I drive this route it appears the DOT has the right of way bought for this type of road.

If the DOT is truly VISION ZERO; 4 lane this area of HWY 52.

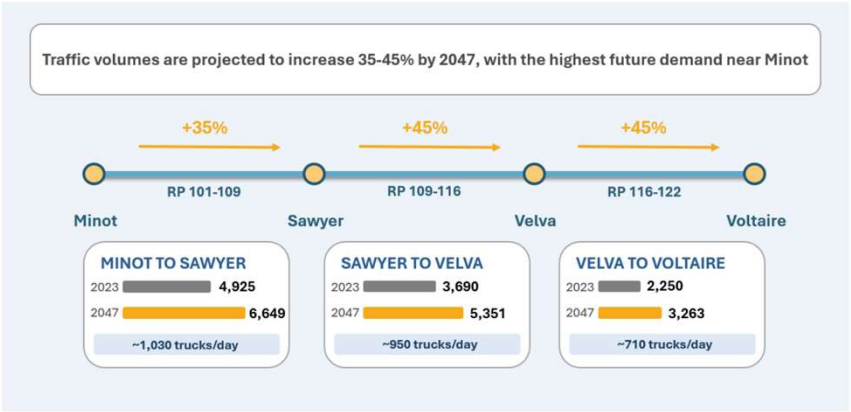
Please pass this on to the DOT director.

J. McElwain

11

Existing and Future Traffic Needs

07 / 09



12

Social & Economic Demand

- Local and Regional Commuters
- Industry
- Agriculture
- USAF 91st Missile Wing Mission-Essential Route

08
/
09

13

Social & Economic Demand

- Improved Reliability

09
/
09

14

What has changed since the last public meeting?
• 2nd Avenue
• Segments 5 & 6 Divided Depressed
2nd Ave.
Sanger
149th Ave SE

15

What has changed since the last public meeting?
• 2nd Avenue
• Segments 5 & 6 Divided Depressed
Volva
Segment 5
Lebanon
Potters Lake
Voltaire
Segment 6
US Highway 52

16

Four Lane with Depressed Median

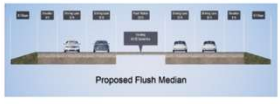
- Design and posted speed limit: 70 mph
- Pros
  - Additional level of protection from head on crashes
  - Majority of roadway can be built without impacting driving public
  - Consistent with existing four-lane section to the north
- Cons
  - Increased footprint
  - Higher cost

01 / 22

17

Four Lane with Flush Median

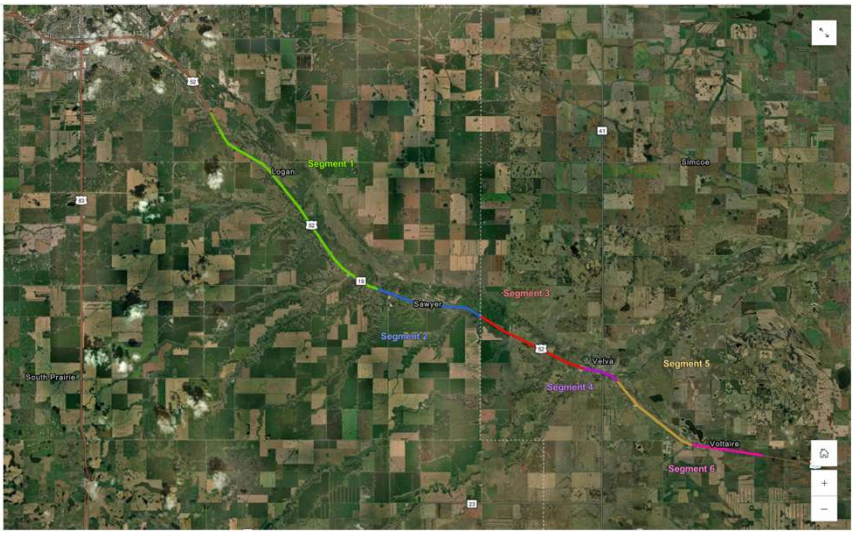
- Design and posted speed limit: 65 mph
- Pros
  - Smaller footprint
  - Utilized more of existing passing lanes pavement
  - Lower cost
  - Easily add new left turn lanes
- Cons
  - Reduced protection for head on collisions



02 / 22

18

Project Segments



03
/
22

19

Segment 1

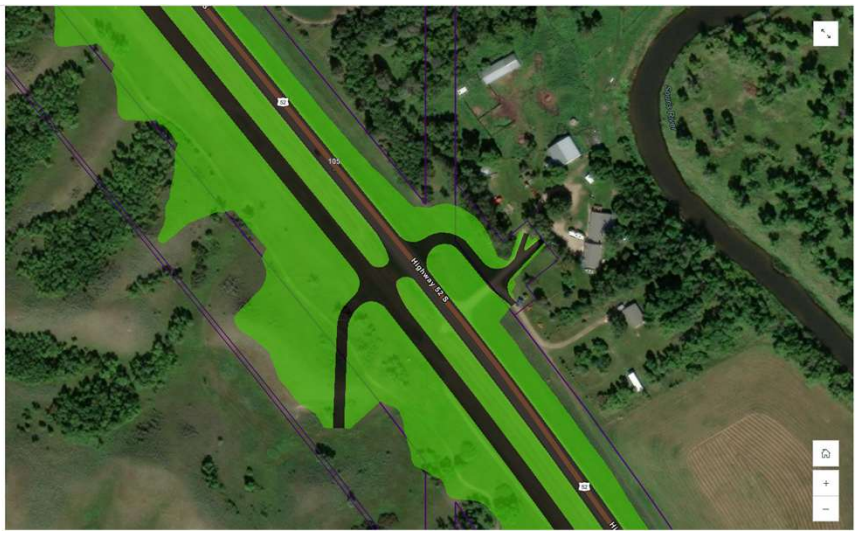
Start of Project to RP 108.9

- Alternative B1: Depressed Median - Expand to the South
- Alternative C1: Flush Median

04
/
22

20

21



22

Segment 2

RP 108.94 to RP 112.51

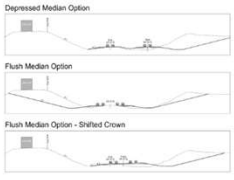
- Alternative B2: Depressed Median - Expand to the South
- Alternative C2: Flush Median - Shifted Crown to the South

07 / 99

23

Segment 2

Sawyer Water Tower

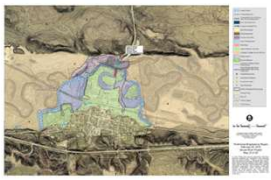


08 / 22

24

Segment 2

2nd Avenue East

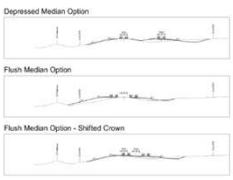


09 / 22

25

Segment 2

Fill Into Railroad Right Of Way



10 / 22

26

Segment 3

RP 112.51 to RP 116.22

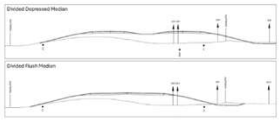
- Alternative B3: Depressed Median - Expand to the South
- Alternative C3: Flush Median - Shifted Crown to the South

11 / 22

27

Segment 3

Grade Raise



12 / 22

28

Segment 3

Transition to Flush Median

Centerline Shift Near Cemetary

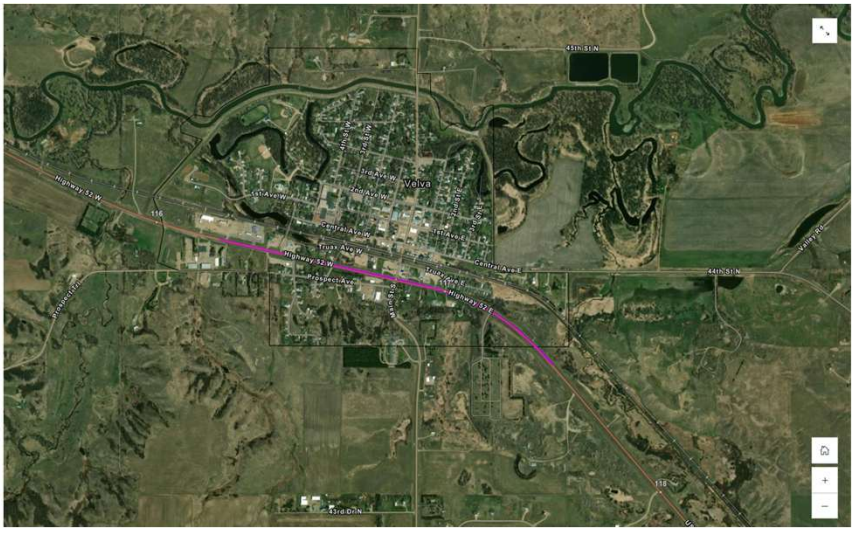
13 / 22

29

Segment 4

RP 116.22 to RP 117.53

- Alternative C4: Flush Median



14 / 22

30

Segment 4

Velva

Shared Use Path

ND 41 Intersection

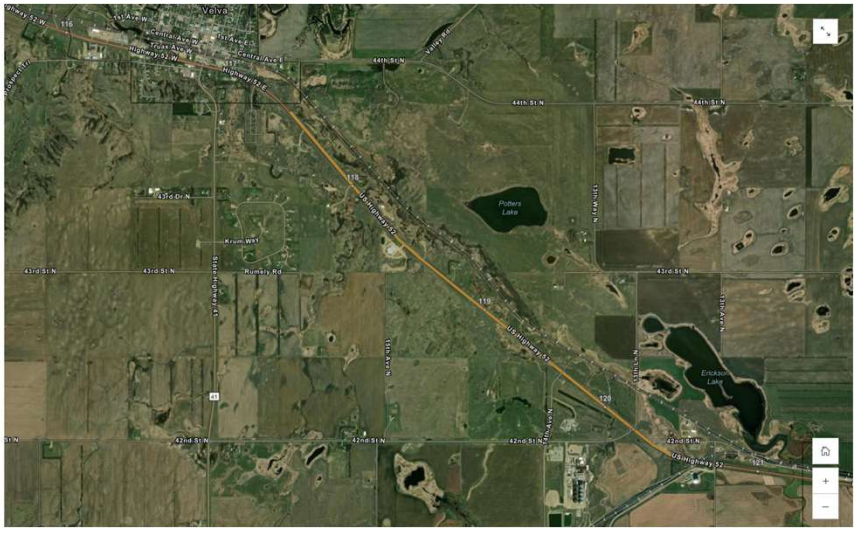
15 / 22

31

Segment 5

RP 117.53 to RP 120.65

- Alternative B5: Depressed Median - Expand to the North
- Alternative C5: Flush Median



16 / 22

32

Segment 5

Previous Alternative B5 Design

17 / 99

33

Segment 5

Current Alternative B5 Design

18 / 99

34

Segment 6

RP 120.65 to End of Project RP 123.00

- Alternative B6: Depressed Median
- Alternative C6: Flush Median

19 / 22

35

Segment 6

Railroad Crossing - Flush

20 / 22

36

Segment 6

Railroad Crossing - Depressed

21 / 22

37

Segment 6

Voltaire

22 / 22

38

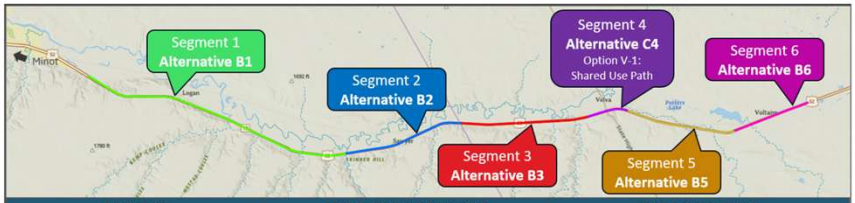
Cost

Segment	Alternative	Preliminary Cost	Cost Per Mile
Segments 1-6	Alternative A	$0	$0
Segment 1	Alternative B1	$94.55 million	$12.17 million
	Alternative C1	$61.20 million	$7.88 million
Segment 2	Alternative B2	$49.85 million	$14.08 million
	Alternative C2	$47.90 million	$13.53 million
Segment 3	Alternative B3	$36.48 million	$9.83 million
	Alternative C3	$33.87 million	$7.63 million
Segment 4	Alternative C4 without Option V-1	$10.93 million	$8.34 million
	Alternative C4 with Option V-1	$11.83 million	$9.03 million
	Option V-1 without Alternative C4	$1.04 million	$1.48 million
Segment 5	Alternative B5	$26.68 million	$8.55 million
	Alternative C5	$21.52 million	$6.90 million
Segment 6	Alternative B6	$12.34 million	$5.25 million
	Alternative C6	$12.08 million	$5.14 million

$187.50M - $231.73M

39

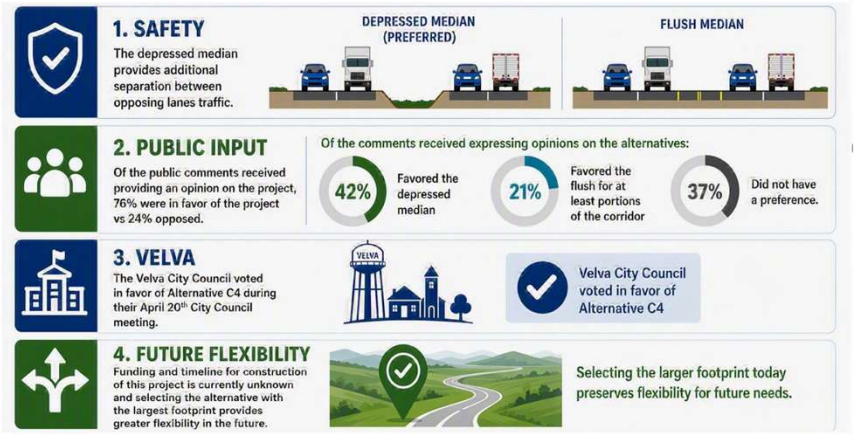
Preferred Alternative



SEGMENT	PREFERRED ALTERNATIVE	TYPICAL SECTION
1 Segment 1 Alternative B1	Divided Four-Lane Highway with a Depressed Center Median	
2 Segment 2 Alternative B2	Divided Four-Lane Highway with a Depressed Center Median	
3 Segment 3 Alternative B3	Divided Four-Lane Highway with a Depressed Center Median	
4 Segment 4 Alternative C4 Option V1: Shared Use Path	Divided Four-Lane Highway with a Flush Paved Center Median with Option V-1: Shared Use Path	
5 Segment 5 Alternative B5	Divided Four-Lane Highway with a Depressed Center Median	
6 Segment 6 Alternative B6	Divided Four-Lane Highway with a Depressed Center Median	

40

What drove the Preferred Alternative selection?

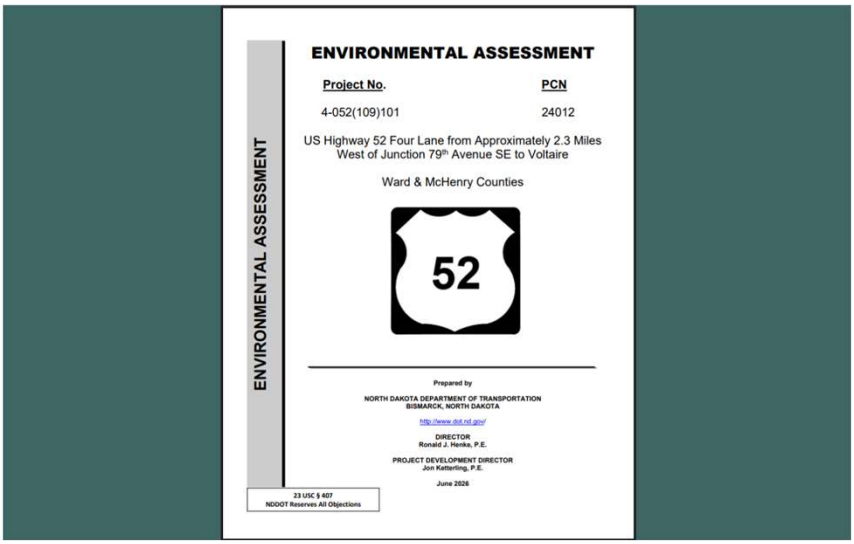


41

Environmental Assessment

- Purpose & Need
- Alternatives
- Project Impacts & Benefits
- Summary of Stakeholder Engagement
- Environmental Commitments

https://www.dot.nd.gov/highway-52-four-lane-study



42

Resource Categories

- Geology
- Land Use
- Vegetation
- Utilities
- Floodplain
- Hazardous Waste
- Cultural Resources
- Infrastructure
- Noise
- Wetlands & Other Waters
- Soils
- Farmland
- Water Resources
- Water Quality
- Wildlife and Fisheries
- Social and Economic
- Section 4(f) Properties
- Air Quality
- Visual
- Threatened & Endangered Species

02 / 12

43

Right-of-Way (ROW)

Alternative B: Depressed Median

- 41.5 acres Temporary Easement
- 179.8 acres Permanent ROW

Alternative C: Flush Median

- 35.7 acres Temporary Easement
- 94.1 acres Permanent ROW

Segment	Alternative/Option	Temporary Easement (acres)	Permanent ROW (acres)
Segments 1-6	Alternative A	0.0	0.0
Segment 1	Alternative B1	20.5	65.0
	Alternative C1	19.4	33.3
Segment 2	Alternative B2	7.8	26.4
	Alternative C2	1.5	9.9
Segment 3	Alternative B3	6.0	49.1
	Alternative C3	7.7	28.4
Segment 4	Alternative C4 without Option V-1	1.9	1.9
	Alternative C4 with Option V-1	2.0	2.3
	Option V-1 without Alternative C4	0.7	0.4
Segment 5	Alternative B5	4.8	31.0
	Alternative C5	4.0	14.1
Segment 6	Alternative B6	2.4	8.3
	Alternative C6	1.1	6.5

New Permanent ROW:
94.1 – 182.1 acres

03 / 12

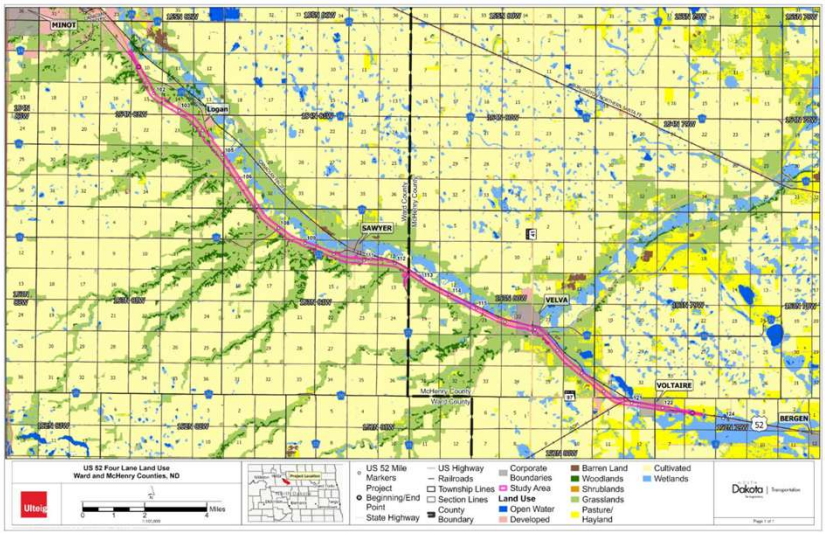
44

Land Use, Soils & Vegetation

- Alt. B would have greater land use, soils, farmland, and vegetation impacts than Alt. C.
- Grasslands, cropland and developed areas impacted primarily.

Proposed action not anticipated to have a significant impact on land use, soils, geologic resources, farmland, or vegetation.

04 / 12



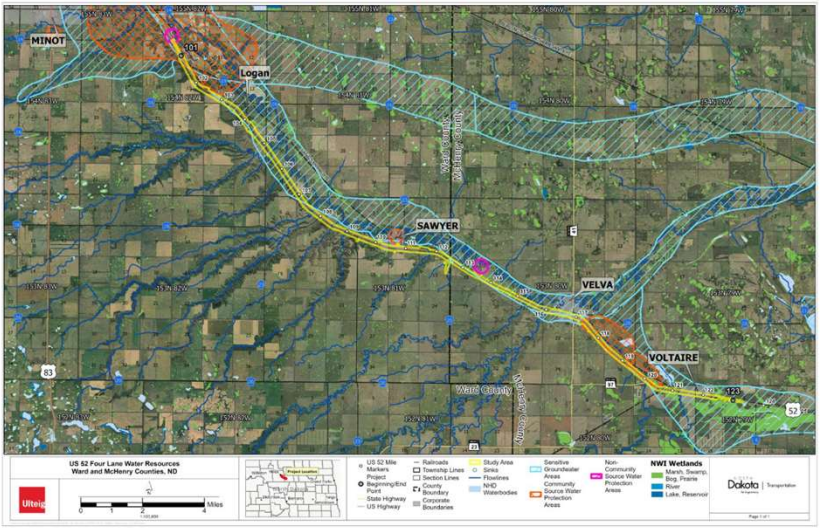
45

Water Resources & Water Quality

- Alt. B would have greater potential for water quality impacts during construction than Alt. C.
- Alt. C would have result in more impervious surface than Alt. B.

Proposed action not anticipated to have a significant impact on water resource or water quality.

05 / 12



46

Wetlands & Other Waters

- Alt. B would have greater wetland and other water impacts than Alt. C.
- Section 404 permit required prior to construction.
  - Compensatory mitigation.

Proposed action not anticipated to have a significant impact on wetlands or other waters.

06 / 12

Segments/Alternatives		Wetlands		Other Waters	
		Permanent	Temporary	Permanent	Temporary
Segment 1-6	Alternative A	0.000	0.000	0.000	0.000
Segment 1	Alternative B1	1.048	0.505	1.232	0.445
	Alternative C1	0.699	0.438	1.012	0.319
Segment 2	Alternative B2	1.074	0.313	0.053	0.011
	Alternative C2	0.702	0.208	0.060	0.007
Segment 3	Alternative B3	4.262	0.681	0.248	0.041
	Alternative C3	3.602	0.693	0.236	0.046
Segment 4	Alternative C4 without Option V-1	0.770	0.210	0.006	0.003
	Alternative C4 with Option V-1	1.020	0.244	0.006	0.003
	Option V-1 without Alternative C4	0.320	0.120	0.000	0.000
Segment 5	Alternative B5	4.619	1.157	0.442	0.052
	Alternative C5	1.666	0.736	0.072	0.051
Segment 6	Alternative B6	2.030	0.489	0.000	0.000
	Alternative C6	1.641	0.360	0.000	0.000

Permanent Wetland Impacts: 9.080 – 14.053 acres

47

Floodplain

- Special Flood Hazard Areas
- Velva Flood Protection Levee
- Grade Raise

Proposed action not anticipated to have a significant impact on floodplains.

07 / 12

48

Wildlife and Threatened & Endangered Species

- Increased habitat fragmentation.
- Alt. B would result in greater habitat conversion than Alt. C.
- BA prepared for T&E species.

Proposed action not anticipated to have a significant impact on wildlife or threatened or endangered species.

08 / 12

Determination	Definition of Determination	Protected Resource
No Effect	This determination is appropriate when the proposed project would not directly or indirectly affect (neither negatively nor beneficially) individuals of listed, proposed, candidate species or designated/proposed critical habitat of such species. **No concurrence from USFWS required.**	• Piping plover • Rufa red knot • Piping plover critical habitat • Dakota skipper critical habitat
May Affect but Not likely to Adversely Affect	This determination is appropriate when the proposed project is likely to cause insignificant, discountable, or wholly beneficial effects to individuals of listed species and/or designated critical habitat. **Concurrence from USFWS required.**	• Northern long-eared bat • Whooping crane
May Affect and Likely to Adversely Affect	This determination is appropriate when the proposed project is likely to adversely impact individuals of listed species and/or designated critical habitat. **Formal consultation with USFWS required.**	• Dakota skipper

49

Social & Economic

Benefits

- Address public safety concerns.
  - Greater protection from head-on collisions under Alt B.
- Improved traffic operations.
- Supports regional economic development.
- Improved roadway reliability.
- Expanded pedestrian facilities.

09 / 12

50

Impacts

- Acquisition of ROW.
- Roadway encroachment.
- Short-term construction related impacts.
- Alt. B may require removal of two outbuildings.

Proposed action anticipated to have overall beneficial social and economic impact.

09 / 12

51

Noise and Visual

- Alt. B: three impacted noise receptors; Alt. C: four impacted noise receptors.
  - Noise abatement determined not reasonable.
- Visual impacts to surrounding landscape.
- Temporary noise and visual impacts during construction.

Proposed action not anticipated to have a significant impact on visual resources or highway traffic noise.

10 / 12

52

Section 4(f)

- Cultural Resources
- Sawyer Baseball Diamond
- Sno-Trails Snowmobile Trails

NDDOT Hwy 52 4Lane Map (Story Map)

Proposed action not anticipated to have a significant impact on Section 4(f) properties.

53

Phase I: Preliminary Engineering Study

- Preliminary Engineering Study
- Survey
- Environmental Studies
- Traffic
- Stakeholder Engagement
- Decision Document

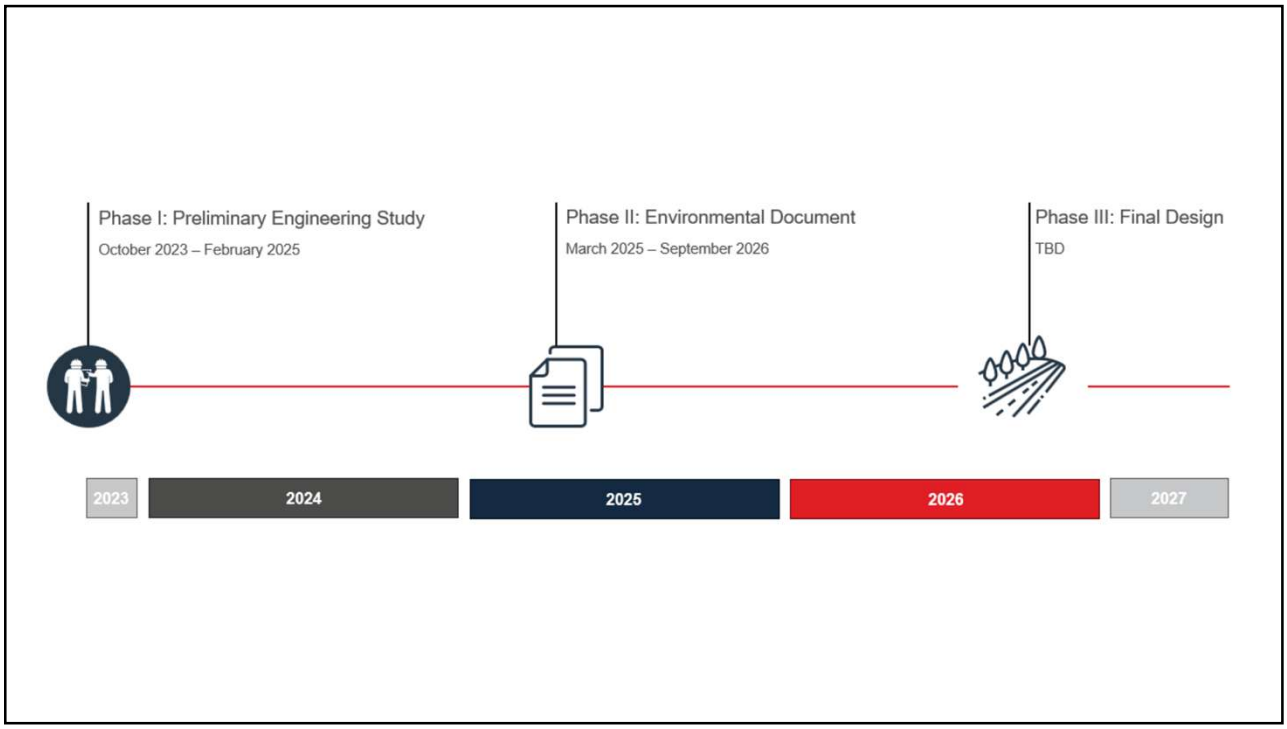
Phase II: Environmental Document

- Environmental Document
- Public Involvement
- Preliminary Design

Phase III: Final Design

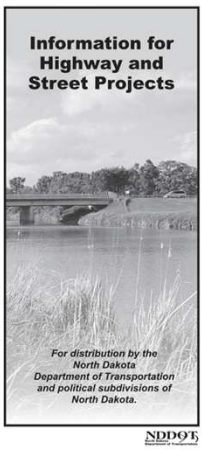
- Final Design
- ROW
- Permitting

54



55

NDDOT ROW Process

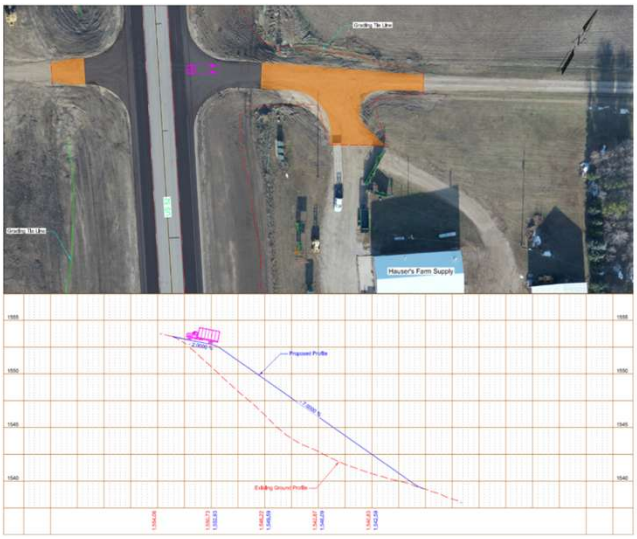


We Are Here

Preliminary Engineering → Public Hearings → Selected Alternative → Funding becomes available → Final Design, ROW Limits, ROW Authorization → Valuations → Negotiation

56

Property Access



57

Cattle Passes

- Relinquishing Cattle Passes

58

Potential Project Support Sites

- Borrow Sites
- Waste Sites
- Wetland Mitigation Sites

59

The EA is available for public viewing at the NDDOT Central Office and Minot District Office

Public comments to be submitted by August 12, 2026.

Email comments with the subject line: "Public Hearing - PCN 24012" in the email subject heading to Mike.Huffington@Ulteig.com

or mail comments to:
Ulteig Operations LLC
Attn: Mike Huffington
3350 38th Ave South
Fargo, ND 58104

60

Ulteig
NDDOT Hwy 52 4Lane Map Public Input
Legend
Help
Design Alternatives
View Comment
Add Comment
Design Alternatives
US 52 4 Lane Comments
Flush Median
Ulteig
Find address or place
Rimroe
Voltaire
2 mi

61

Questions

62

Appendix F, Transcripts

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

PUBLIC HEARING

Studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway.

Minot (approximately 2.3 miles west of Junction 79th Ave SE) to Voltaire.

July 27th, 2026
5:30 p.m.

Location: Sleep Inn and Suites,
Theater Room, 2400 10th Street SW
Minot, North Dakota

TABLE OF CONTENTS

1. Presentation 3

Mike Huffington 3
Josh Kueber 3
Brent Muscha 3
Unknown Audience Member 4
Brent Muscha 4
Mike Huffington 4
Nikki Olson 5
Mike Huffington 7
Josh Kueber 7
Mike Huffington 8

2. Comments from Public 8

Ron Solberg 8
Dan Mostad 9
Ron Solberg 10

ULTEIG

1. PRESENTATION

The Public Hearing presentation commenced at 5:30 p.m. on July 27th, 2026.
=

Mike Huffington

All right. Good evening. Can everybody hear me all right? All right. Well, thank you everybody for taking the time to come out tonight. We are here tonight for the US Highway 52 public hearings. Talk a little bit about the project, step through the alternatives. I'm going to talk about the preferred alternative which has been identified up to this point. Talk about some of the impacts and then obviously open it up for any questions and comments. So we'll dive right into it. So my name is Mike Huffington. I am with Ulteig Engineers. I am the consultant project manager. This project is being led by the North Dakota Department of Transportation in cooperation with the Federal Highway Administration. Ulteig is leading from a consultant standpoint. Also got Apex Engineering here tonight. They're on our team assisting with the design.

So taking a quick look at the project corridor. Essentially the project runs from Minot where the current four-lane ends to Voltaire. Zooming in you can see the northern portion here we transition that existing four-lane. Zooming back out so what's shown on the screen here these paired set of passing lanes. I'm sure most people are familiar with them. Those were installed back in 2023 by the DOT. So there's two paired eastbound and westbound. One between Logan and Sawyer another between Sawyer and Velva as well as an eastbound passing lane near Voltaire and as part of this project that passing lane would be extended to tie it to the four lanes so there wouldn't be that segment of just standard two-lane highway between them.

So first thing I'm going to dive into is the project purpose and need, and the needs that have been identified for this project are perceived safety issues, legislative funding obligations, existing and future traffic needs, social and economic demand.

Perceived safety issues. The reason we say perceived, we did complete a traffic operations report for this project. Call attention to these numbers in green. These are the observed crash rates per million vehicle miles traveled. As you can see all segments fall within what would be expected as the typical range from a crash rate perspective, but we do know that you know that doesn't tell the full story of this corridor. So what I'm pulling up here now is the ADT or the average daily traffic along the corridor. The numbers shown in red are the 2023 average daily traffic and the numbers shown in blue are the 2047 average daily traffic. So projected out future traffic volumes that we're expecting. Then below that you'll also see the percentage of truck traffic and really I think anybody that's driven this corridor understands there's a lot of trucks along here. Between Velva and Voltaire nearly one out of every three vehicles is a large truck. That number decreases as we, that percentage decreases anyways, as we get closer to Minot that's really just driven by the fact that more commuter vehicles are entering into the traffic stream but there is a very high percentage of truck traffic along this corridor. Taking a look at highway 52 compared to the other major highways in and around Minot. You can see again that percentage of truck traffic and of all the roadways shown here. US 52 does have that highest percentage and I will also note that all the other facilities that are called out here are existing four-lane highways. Also contributing to that perception of safety is a lot of the just terrain that's out there and the current roadway configuration. It's pretty steep terrain particularly around the Sawyer area. There's guardrail in a number of locations and there's also limited shoulders throughout much of the corridor.

So you know looking at North Dakota's Vision Zero which is really intended to reduce those fatal and severe injury type crashes we did take and run a four-lane expansion through Federal Highways Interactive Highway Safety design model to get a predictive analysis of what four-landing this facility would do in terms of various crashes. So head-on crash potential would anticipate a reduction of 74 percent. Angled crash potential a 64 percent reduction and rear-end crash potential of 42 percent reduction.

Legislative funding obligations. So I mentioned the passing lanes that were installed back in 2023 when the DOT was going through the process of developing that project. Got a lot of comments from the public that hey these passing lanes would be nice but really this segment of Highway 52 closer to Minot needs to be a four-lane that passing lanes alone aren't going to cut it. That sentiment was communicated to state representatives and during the 2023 legislative session as part of House Bill 1012 did get funding allocated for this current study of four-laning US 52.

Existing and future traffic needs. As I showed previously, we are anticipating that traffic will continue to grow along US Highway 52 between 35 and 45 percent between now and 2047.

And then finally social and economic demand. So really, we're trying to have a highway facility that meets the needs of local and regional local and regional commuters, industry, agriculture, the military. In addition, want to hopefully build in some improved reliability. Brent's going to talk about it in a little more detail but during the 2011 flood there was a portion of this project corridor just to the west of Velva that went underwater. We would be as part of this project incorporating a grade raise through that segment so that if a similar flood were to occur in the future hopefully that roadway would remain high and dry.

So this is the fourth time I believe we've come to the public with this project. Since the last time that we've come there's been a couple of changes. I'm just going to highlight em real quick. First one being at 2nd Avenue in Sawyer. Previously we had an option under consideration for closing that access point. We've gotten some feedback from the public and stakeholders that maybe that doesn't get a lot of use that we could close it off. We did get a comment though at the last public meeting indicating that during the 2011 flood the other access points into and out of Sawyer were underwater and this was the only roadway access point that could be used during the flood. So we reached out to the community to the city of Sawyer, confirmed that and since have removed that closure of 2nd Avenue from consideration for this project. The second major change that's occurred, previously in Segment 5 for the divided depressed highway, and I'll speak to the alternatives here in just a second. We had that alternative narrow down to just be a divided flush where it crosses the railroad and then within Segment 6, the most segment there was only a divided flush option that was under consideration. We have carried the divided four lane with the depressed median all the way through Segment 5 and into Segment 6. Now we'll touch on that a little bit more here when we get into the alternatives.

So from a high level alternatives perspective those that have been to this presentation before these alternatives remain the same so the first primary alternative would be four lane with a depressed median. This would be very similar to US 83 between Bismarck and Minot, so you'd have your two 12 foot driving lanes in each direction, 8 foot outside shoulders, 4 foot inside shoulders and then that grass depressed median between opposing lanes of traffic. Would have a posted speed limit of 70 miles an hour. The pros for this alternative would be additional level of protection from head on crashes. The majority of the roadway could be built without impacting the driving public and it would be consistent with the existing four lane section to the north. Two primary cons would be a larger footprint relative to the flush median which I'll touch on next, as well as a higher cost.

So that second primary build alternative would be four lane with a flush median. This would be similar to what you currently see between Watford City and Williston along US Highway 85 with the same two 12 foot driving lanes in each direction, the same eight foot outside shoulders but instead of that depressed center median it would be a flushed paved median. This alternative would have a designed and posted speed limit of 65 miles an hour. Pros would be smaller footprint utilizing more of the existing passing lanes pavement that was installed, lower cost and the primary con just being that reduced protection for head on collisions.

So we're going to step in to walk through the project corridor here in a little more detail. We do have this QR code on the screen. It's also on some of the materials in the back. We're not going to go through mile by mile but for anybody that's interested in looking at both of these alternatives at a specific location, if you scan that code with your phone it will bring up an interactive map viewer that you can zoom into any location, see what we're looking at in terms of the roadway footprint, the project limits as well as right-of-way. You can also leave comments on there. So as we step into the alternatives you see on the screen here the overall project corridor has been broken into six project segments. As we started looking at the project corridor it became obvious that just kind of a one size fits all wasn't going to work and that from an analyzing and determining potential alternatives we've broken into various segments which we'll step through right now starting with segment one.

ULTEIG

Josh Kueber

Segment one begins at the very north end of the project and will go all the way down to RP 108.9 which is just west of Highway 23. The two options under consideration would be the divided depress median and that additional lane would be expanded to the south to utilize additional right-of-way that was previously purchased and a flush median option which would be widened equally to both sides of the roadway. And we just wanted to zoom in here and just kind of show that additional right-of-way on the south side of the roadway. Looks like our internet is a little slow. I apologize. There we go.

Segment two had also two options. The depressed median expanded to the south to utilize that additional right-of-way and then the flush median we shifted the crown slightly to the south due to some constraints on the north side of the road. The first one being the water tower. You can see in this middle cross section here if we had kept it centered, we would have impacted the Sawyer water tower, so we ultimately got rid of this option and went with a shifted crown to avoid that impact.

Unknown Audience Member

Excuse me, can you talk a little bit louder?

Josh Kueber

Oh sorry I always get that. I apologize. Moving to 2nd Avenue. Mike touched on this before. We won't be looking at a closure for that anymore. And this is a flood map here. This is from 2012 after the flood, but you can see the levee hasn't been built yet. And so you can see both of these access points were underwater back in 2011. And then we kept that centered crown shifted to the south all the way through the railroad because we'd end up impacting railroad right-of-way. And we kept that all our way through segment three. And Brent's going to touch on segment three a little bit more.

Brent Muscha

Alright moving on to segment three. Can everybody hear me okay? Segment three starts at the McHenry County Ward County line and extends west to Velva. This segment is about four miles and about two of that already has the passing lanes that were built. The two alternatives in this segment are the same as segments one and two. We have the depressed median option and the flush median option. Both of those options require shifting the roadway to the south to avoid impacts to the railroad on the north side.

Along with that we would be incorporating that grade raise that Mike mentioned. That's essentially kind of through the center of that segment three to the west of Velva. And at the deepest we would be raising the roadway about six feet. The deepest area is kind of near that Wildlife Club entrance in between Velva and Sawyer. And so raising that roadway we've got to shift everything to the south to further avoid impacting the railroad tracks. And when you drive it you can see that the railroad's already been raised quite a bit through that area.

In segment three as we get closer to Velva we have a conflict on the south side of the roadway with the Holy Cross Cemetery. So, as I mentioned we were shifting the roadway to the south to avoid railroad impacts. Now we get closer to Velva and we've got a cemetery. So, once we get closer to Velva we'll be transitioning from the southern shifted roadway to a flush median with both options. Both options will transition to a flush median to kind of bring that roadway together as we get closer to Velva and avoid impacting the cemetery. And then as we move into Velva we also only have one build alternative and that build alternative is the flush median section. So there's no option to build a divided four lane highway through Velva. That was not carried forward because of the property impacts, right-of-way impacts, and environmental impacts.

So, as we get into Velva as I mentioned we'll be building a flush median section. It looks a little bit different than the other sections because now we don't have a 20-foot median, we have a 12-foot median and that 12-foot median will basically be a shared left turn lane similar to what's in Velva today. There is also an option with all segments to do a no build, to do nothing. That was one option that came up particularly through Velva with the idea that maybe it would function okay to leave that as a three-lane section how it is today. But to widen to five

lanes would be about five feet of widening on each side because those through lanes are already wider than 12 feet. So, there would be a little bit of widening on each side to build that into the flush section.

Through segment four we also have kind of a standalone alternative that could be carried forward with part of the roadway project or done as a separate project and that would be to build a shared use path kind of from the western edge of city limits up to the North Dakota 41 intersection and that would be on the north side of the roadway. That would be a 10-foot shared use path proposed. And then also in segment four at the North Dakota 41 intersection kind of based on the traffic characteristics there and some of the other constraints going on, we would be keeping the left turn lanes for eastbound and westbound. But with a five lane section we would be removing the right turn lanes for eastbound and westbound to kind of minimize some of those impacts. Plus, we've already got we'll have that additional outside lane that can be used. The heaviest turning movement at this intersection is the southbound right turn lane, southbound to go west towards Minot. So, we would add a dedicated right turn lane at the intersection. It's already kind of being used as a right turn lane, people will kind of slip by and get around traffic stopped at the stoplight but as part of the project we would include that. And then also another option with or without the roadway is to improve this crossing, this pedestrian crossing on 52. That's the only crossing that would be proposed in Velva and so that would be enhanced with a median pedestrian refuge here and potentially rectangular rapid flashing beacon signs for pedestrians to activate when they're crossing.

Unknown Audience Member

Would there be a traffic light at the intersection?

Brent Muscha

No, there would not be, a traffic signal is not warranted at that intersection so it would not be included.

Segment five is from the east side of Velva down to the railroad spur towards Voltaire. This segment has two options, the divided depressed option and the flush median option. With the divided depressed option through this segment we would look to widen to the north side of existing US 52. There's a few reasons for that. We've got constraints with private utilities. There's the Gooseneck implement dealership that's on the south side of the roadway. There's also some cultural sites that are avoidance areas along this segment that we're working around. So, all the widening for four lanes would occur on the north side of the roadway. For a flush median option, it would be centered on the existing roadway. So, we would use that existing roadway and just widen from there. As Mike mentioned previously we were looking at towards the end of segment five bringing a divided four lane roadway back to a flush section to get across the railroad spur. There is a project actually occurring this summer here to add acceleration and deceleration lanes at that railroad spur. So that'll be basically 60 foot wide section across that that the tracks there. So, we were kind of tying into that. That was part of the previous design. One thing we kind of went back and looked at is what if we carried the divided roadway through the railroad tracks. Obviously, that would require some rework on the tracks and redoing that. But we're doing that in order to kind of carry that throughout the project corridor.

And into segment six which is the east end of the project. So, this is from the railroad spur through Voltaire and tying in at RP 123 where that eastbound passing lane starts, the existing eastbound passing lane starts. And so we've got our two alternatives here. The depressed median option and the flush median option. Here's a look at that improved railroad crossing that you'll see being built this summer and what that looks like. So, the flush option would just use this existing crossing configuration. The divided will expand that into the four separate lanes. And as we get into Voltaire then you'll see the divided depressed options come together almost like when we get to Velva those lanes will come together. That is in order to reduce impacts to the grain elevator, and then there's also some residences on the south side of US 52 in Voltaire and essentially the project will tie into this main intersection at Voltaire. The eastbound two lanes then will continue on to tie into that eastbound passing lane that's existing.

Mike Huffington

Alright. So cost. You can see this table has got the cost broken down by alternative by segment. So, depending upon the combination of alternatives the price can vary but generally speaking we're looking at a range of 187.5

million to 231.7 million dollars to four lane the entire project corridor. The lower end is generally representative of the divided with a flush median whereas the higher end representative of the divided with that depressed median.

So next I'm going to pull up the preferred alternative. So, we've gone through analyzed, Nikki's going to talk in a minute here about some of the impacts associated with these alternatives, before we get into that I wanted to highlight what right now the DOT has identified as the preferred alternative. And what the preferred alternative is is the alternative that they are currently planning to carry forward to final design should this project move to final design. It's currently called the preferred alternative and not the selected because really the intent is to come out to this group and bring this to the public and get feedback on the project as a whole but also to get feedback on this preferred alternative. I'll touch on in a minute here there will be a comment period that's open until August 12th. After that comment period closes the DOT will look at all the comments that were collected take a look at the project again as a whole and then the next step in this process will be them identifying a selected alternative. So right now this is essentially the direction that they're leaning but it is open to change should there be a strong support or pushback I guess against anything we've presented here today. So, the preferred alternative for all the segments other than segment four would be the divided four lane with the depressed median and then through segment four which is the Velva segment the preferred alternative is the divided four lane with the flush median as well as incorporation of that shared use path.

So, what drove the selection of that preferred alternative? First being safety and just that additional level of protection from head on collisions that's afforded by the depressed median. Second being public input as I noted we've come to the public three times prior, of the public comments that we received that provided an opinion on the project. 76 percent were in favor of the project versus 24 percent opposed and of the comments that we received expressing opinions on the alternatives 42 percent favored the depressed median versus 21 favoring the flush median and 37 percent did not have a preference. Specific to Velva we did reach out to the city during one of their city council meetings back in April they did take the project to a vote specifically that segment and the city council voted in favor of that alternative C4 which is the flush median four lane as well as the shared use path. And then finally, future flexibility I will touch on this a little more in a bit but right now there are not any dollars identified for final design or construction so when this project, or if this project moves forward, is up in the air since selecting an alternative with a larger footprint does provide an additional level of flexibility in the future should things change or conditions change. With that I'm going to turn it over to Nikki to talk through some of the environmental impacts.

Nikki Olson

Alright, so I'm going to cover some of the benefits and impacts from the project. I'll cover this at a pretty high level but if anyone's interested in diving in deeper a full environmental assessment was prepared for the project. It's available on the DOT's website as well as physical hard copies are available at the Minot district office as well as the central office in Bismarck.

So, on the screen here are the resource categories that were analyzed in the EA. Again, I'm not going to go through each one in detail, but I'll provide an overall summary. So, we'll start with right-of-way.

So, from a right-of-way perspective we're looking at anywhere from 94 to 182 acres to four lane the entire corridor. The lower end is generally representative of that flush median alternative with the higher end representative of the depressed median.

So, moving on to the land use, soils, and vegetation. So alternative B would have the greater impact on land use, soils, farmland and vegetation compared to alternative C. That's largely due to that overall larger footprint. Some of the major land use categories that will be impacted along the corridor are the grasslands, cropland and developed areas. Overall, the project is not anticipated to have a significant impact on the land use, soils, geologic resources, farmland or vegetation.

Moving on to water resources and water quality, similar to the right-of-way and the land use, Alternative B would have greater potential for impacts to water resources and water quality than Alternative C again due to that larger footprint, but Alternative C would have more impervious surface after construction due to that paved center

ULTEIG

median. So overall the proposed action is not anticipated to have a significant impact on the water resources or water quality.

So, looking at the wetlands and other waters. So Alternative B again would have that greater impact on wetlands than Alternative C. And that is due to that larger footprint. The permanent wetland impacts we're looking at range from 9 to 14 acres along the corridor. Again, Alternative B is that higher end with Alternative C is that lower end of impacts. So, there are jurisdictional wetlands located along this corridor so as a result we will need a section 404 permit prior to construction as well as compensatory mitigation. So overall with that mitigation and the permit the project is not anticipated to have a significant impact on the wetlands or other waters.

So the floodplain, there are a number of mapped floodplains along the corridor, particularly in segments 1, 2 and 3. Both alternatives would impact those floodplains and as a result a floodplain development permit would need to be acquired for the project. Also, around Velva there is a USACE flood protection levee. The project will cross that levee in two locations so we will need to work with the Corps during construction and in final design to make sure that we are meeting their 408 regulations. And as Brent mentioned that we do have that grade raise in segment 3 that will be incorporated into both of the alternatives and that will just increase that flood resiliency of the roadway. So as a result, the proposed action is not anticipated to have any significant impact on the floodplains.

So, moving on to wildlife and threatened and endangered species. So, both alternatives would increase that overall habitat fragmentation and cause some habitat loss with Alternative B again having that greater impact on the habitat than Alternative C. So, with regards to threatened and endangered species, a biological assessment was prepared as part of the consultation process with the US Fish and Wildlife Service. The effect determination for the species in that biological assessment are shown on the screen here. The project is anticipated to have no effect on the piping plover, rufa red knot, piping plover critical habitat, Dakota skipper critical habitat. The project may affect not likely to adversely affect the northern long eared bat and the whooping crane and the project may affect and likely to adversely affect the Dakota skipper and that's primarily due to the habitat loss. Also, as part of that consultation with the US Fish and Wildlife Service they issued a biological opinion for the species that included an incidental take statement for the Dakota skipper along with some conservation measures that we need to implement in construction. So with those conservation measures as well as some environmental commitments in the EA the proposed action is not anticipated to have a significant impact on the wildlife or threatened and endangered species.

So, looking at social and economic, the project will bring a number of benefits to the corridor. These include addressing public safety concerns with that greater protection from head on collisions under Alternative B. Also improve the traffic operations, support regional economic development, improve the roadway reliability and expand those pedestrian facilities. With those benefits there are also a number of impacts including the acquisition of right-of-way, roadway encroachment to some homes along the corridor as well as short term construction related impacts and Alternative B may require the removal of two outbuildings along segments two and three. With that the proposed action is not anticipated to have a significant impact it will provide an overall benefit to that social and economic.

So looking at the noise and visual, so a highway traffic noise analysis was prepared for the project. As a result, Alternative B is looking at three impacted noise receptors and Alternative C resulted in four impacted noise receptors. So with those impacts noise abatement in the form of noise walls was studied and it was determined to be not feasible. There's a number, the project will also include some visual impacts to the surrounding landscape but since this is already an existing roadway corridor it shouldn't be significant with those visual impacts. The project will also have some temporary noise and visual impacts during construction. We do not anticipate a significant impact on visual resources or highway traffic noise.

So, looking at the cultural resources. So a cultural resource investigation was completed for the entire project corridor and a number of cultural resource sites were identified along the project. So the team coordinated with the North Dakota State Historic Preservation Office and with that we are going to incorporate fencing, monitoring and avoidance stipulations. So, with those avoidance stipulations we do not anticipate a significant impact on those cultural resources.

ULTEIG

So, Section 4(f) is a US DOT law that protects publicly owned parks, recreation areas, wildlife refuges and significant historic sites. So, the project corridor has a number of Section 4(f) sites located along there including those cultural resource sites, Sawyer baseball diamond that you can see here, as well as the Sno Trails snowmobile trail which is located in the ditch along US 52 between Sawyer and Velva. So, the project team coordinated with the officials with jurisdiction for these various properties and in all three cases exceptions to that Section 4(f) approval were applicable, so therefore the project is not anticipated to have a significant impact on the Section 4(f) properties. So, I'll hand it over to Mike to look at schedule and funding.

Mike Huffington

All right so as we start to wrap up here, first looking at the overall project development phases for this project. Phase one was preliminary engineering study which was previously completed. Phase two is where we are currently nearing the end of phase two with that environmental document. Nikki touched on the environmental assessment that's been prepared that has been signed by Federal Highway. After the comment period for both that environmental document as well as these public hearings has concluded, we will do a final environmental document and likely a finding of no significant impact which will end this current phase. And then phase three would be final design, which includes final design right-of-way and permitting. Looking at this from a scheduling standpoint, so we are anticipated to complete this current phase in September of this year which would then allow the project to progress into final design. However, as I mentioned previously, I'm sorry there's a fly that keeps landing on my face, but there currently has not been any funding identified for progressing the project beyond this point so no funding for final design or construction. Likely the earliest that would happen would be during the next legislative session next year. Last thing we'll touch on before we wrap is going to be the right-of-way process and I'll turn it back over to Josh.

Josh Kueber

We want to touch on the right-of-way because I feel like a lot of people are probably interested in that so usually as a project progresses, we start with preliminary engineering. This is where we are today at the public hearing. From the public hearing we'll get the feedback from all of you and that will go to the decision makers that will help us select the alternative and then once that funding becomes available we'll move into final design determine those ultimate right-of-way limits and then get a right-of-way authorization from Federal Highway and that is a key step because until we have the right-of-way authorization we can't talk about right-of-way prices and so then we can do evaluations and then negotiations but I want to say you know there's yellow pamphlets in the back. So if you guys are along the corridor I recommend you take one of those with you. They go in a lot more detail than I did today and then you'll have it available and if you lose it the DOT does have it on their website.

Part of the right-of-way negotiations a lot of times is driveway improvements. We'll talk about that. So this is kind of just a starting point. We try to get a good storage platform so you can sit up there and see vehicles coming and that will provide a lot easier to get going and merge into traffic and then we try to flatten out the grades to 7% or less for private approaches, field drives 10% max. That's not a hard rule but it is something that we start with and so when we get into the negotiations if you want a steeper driveway that will be part of the conversations. But we just wanted to show here's an example of the farm supply just west of Sawyer that was a driveway that we improved as part of the passing lanes.

Another part of that right-of-way negotiation will be cattle passes. There's a lot of cattle passes mostly more on the west side and some of them are definitely still being used so we'll extend those as part of the project but there's one like this one right here where it seems like it may have not been used for quite some time and so we'll reach out for those ones and just see if there's any intention for them to still be used in the future.

Another component that we'll be reaching out for is if people are interested in borrow, waste sites, or wetland mitigation sites. We've had a few people that have left comments that if the project progresses we'll reach out to but it is a pretty long corridor and depending on the type of equipment used a lot of times you don't want to haul dirt more than three miles so we'll need quite a few borrow sites and if we can have the borrow on both sides of the roadway that will prevent traffic from crossing and so we'll want quite a few borrow sites as part of the project. The one that maybe you guys are not familiar with is the waste sites, so sometimes it's more cost effective to waste soil than to haul it way down the road and so if anybody's looking for borrow especially on that more

western end of the project you guys can leave a comment card because that will be more cost effective than hauling it a long ways. With that Mike's going to close it up.

Mike Huffington

All right I'm going to do a few housekeeping items here first so as Nikki noted the EA is available for viewing either on the DOT's website otherwise there are hard physical copies at the Minot district office as well as the DOT central office in Bismarck. Public comments can be submitted, they are due August 12th and there's a handful of ways they can be submitted. First and easiest for everybody in this room there are comment cards in the back that can be filled out left with us today. They can be emailed to myself, my email address is on here as well as on the materials that you would have picked up in the back or if you want to send a physical hard mail that works as well. There are also a sign-in sheet back there anybody that didn't sign in I would request that you could please sign in before you leave just so we can get a good head count on who all participated tonight. And there's also a title six form that it's an anonymous form but if you guys could fill it out helps the DOT with their federal funding components.

The last thing I do want to do. I've got to remember how to use my computer. Give me one sec here. All right so this is that map viewer that I was talking about so if you scan any of the QR codes on the materials there it does allow you to zoom into the project corridor. You can toggle on and off the alternatives as well as the right-of-way so if you want to look at a specific location and then as I noted over here there is this option to add a comment if you click on that, click design comments, then you can go and drop a comment anywhere you'd like, fill in this information, put your comment in there, and then the important part is hit this create button at the bottom so that it's saved. So anybody that wants to utilize that method for posting a comment I just want to note that please remember to hit the create button in the end so that the comment actually gets saved on there. So, with that I will pull this up one more time and then I will open it up to questions and we do have some microphones, this meeting is being recorded since this is a public hearing so if anybody has a question please raise your hand so we can bring you a microphone so that it gets recorded for part of the public record. So, I don't know if you guys want to fire those up and. What's that? Oh yeah, and anybody that has a comment could you please state your name for the record before you ask the comment or ask the question.

2. COMMENTS FROM PUBLIC

Ron Solberg

My name is Ron Solberg I live in section segment one, are the segments numbered in order of construction? Do you do segment one first and end with segment five or six?

Response: Mike Huffington

Not necessarily I guess they go from west to east because that's how the mile marker numbers go; however, it would be most likely that if this were to go to construction that it would start from the west closer to Minot and then work to the east but that's not a guarantee, correct.

Ron Solberg

And could you address the right-of-way is there going to be a lot of broadening of the right-of-way and therefore need to purchase from landowners?

Response: Mike Huffington

Yes, so I can pull the right-of-way slide back up here. Generally speaking, I think it's about 180 to 200. Or excuse me not 180, 94 to 182 acres of new additional permanent right-of-way that would be required. You can see in this table a good chunk of that is segment one where we do have that rougher terrain we need to particularly to tie in the slopes got to go further out from the roadway, that's a big part of it. And then there's also a fair amount required in segment three and again that's due to both the grade raise and then when we enter segment three we no longer have that excess existing right-of-way. So through segments, through the majority of segments one and

two the DOT currently owns excess right-of-way to the south that was purchased many decades ago for the potential of expanding at a later date. When we get to segment three we don't have that existing excess right-of-way and then the need to shift away from the railroad plus the grade raise incorporates the need for additional right-of-way through there.

Unknown:

Just a question on when it crosses the rail tracks, what kind of, how many lanes are you going to have there? Is there going to be a pull over lane on both sides or how's that designed?

Response: Mike Huffington

Yeah, you're talking down by Voltaire, correct?

Unknown:

Correct, yes. Built that way now or is it going to be expanded?

Response: Mike Huffington

So, it depends on the alternative. So, if it's if it's a flush median that would go through there, pull this back up, it would right now later this year the DOT will essentially be constructing this through the addition of acceleration and deceleration lanes at that railroad crossing. So, if it were the flush median alternative that gets selected at that crossing location, then it would be those two twelve foot driving lanes in each direction separated by a paved twenty foot wide median which would essentially salvage what's going to be there after construction season this year. Under the depressed median alternative, so part of the reason why we didn't have the depressed median under consideration previously was because we were trying to salvage and use the existing roadway that's out there, in order to fit a depressed median alternative through these, it's tight here because of these two there's spurs both north and south of the crossing so we would essentially be constructing a new two lane to the north of the current roadway as well as a new two lane to the south and then where the roadway sits currently would be the depressed median.

Dan Mostad

Dan Mostad, we're in segment one. Question, does the North Dakota DOT have a level of confidence in the state legislature they're going to have funding and what the matching funding would be from the Federal Highway Administration? Kind of a confidence level of if this project will go through?

Response: Mike Huffington

Chad, do you want to answer that one at all?

Response: Chad Frisinger

Sure. I'm Chad Frisinger I'm from the North Dakota DOT central office out of Bismarck and you know like Mike said you know in 2023 your local representation was successful in getting funding to do the preliminary engineering and environmental document. That's all the funding that they've provided and right now this will wrap up in September, and we will be paused until the session begins again. I guess we don't have a good feel, I assume your local legislative representation will ask for additional funds. You know I think the logical step would be to purchase the right-of-way and finish the design, move the utilities. Those three things it's going to be substantial amount of money, that's before we do the project. You know, Mike described the project is going to be 200 plus million dollars, but I think, that's what they did on highway 85. Basically, they provided money to purchase right-of-way and move utilities. That would be the next logical step, but yeah I don't have a good feel for it, but I'm sure that your local representation will be requesting additional funds.

ULTEIG

Ron Solberg

I'm Ron Solberg again. On section one on the valley where there's the existing four lanes of passing lanes going almost the full extension of the of the valley there. If that was going to be four lane with the depressed median, is that, how do you do it, do you build on one side of the existing road and then tear out the existing road and then build the other existing other side? Can you give me an idea how to visualize how that would be done? Because it looks like you're just destroying all the work that was done two years ago.

Response: Mike Huffington

Yeah, at a high level you're correct.

Response: Josh Kueber

The shoulder that's there is the top match what was already there, the four lane will have an eight foot on the outside so it wouldn't be removing all of the pavement but yeah a portion of it would be then removed as a part of the project, you're correct. And we would then salvage that borrow that was placed previously along the corridor and then that asphalt and aggregate we'd salvage that and use it for somewhere else along the corridor, maybe approaches.

Ron Solberg

Basically, the new road would be on one side and the other of the existing road. Where the existing road is now that would then become the median?

Response: Josh Kueber

Let me pull up a typical here, this might help. I was just thinking the, this one right here. Because you have the typical right? Here we go. So yeah the, what we would do is we would construct the, because you are talking the depressed median option right?

Ron Solberg

Right.

Response: Josh Kueber

Okay, yeah perfect. Yep, we'd construct that on the south side then you could move traffic onto the south side and then yeah, you would, this is a narrower footprint than where the passing lanes are, so we'd have to remove that additional widening in those locations but we would salvage that at other locations, the aggregate and the borrow that was previously placed. But did I answer your question, I'm not sure? I'm sorry.

Ron Solberg

I'm living on the south side and if I visualize the divided highway the eastbound lanes would be basically really encroaching into my property. We have trees and stuff and I'm just a little bit fearful that you're going to remove all our trees and the sound barrier that they provide for us from highway noise and it seems like if the existing roadway becomes the median then there's a lot of encroachment into, towards our property.

Response: Josh Kueber

Oh yeah, right here, I don't know if you can see the mouse, the this side is the existing roadway, that will still be there so yeah then there would be, the median is not where the road is now it would be over 84 feet center to center. We'd build the additional two lanes on the south side of the roadway, but we can pull up this here in the back if you'd like and we could

ULTEIG

Ron Solberg

We're between mile marker 106 and 107 if you want to actually look at the specific location.

Response: Josh Kueber

So yeah, this location in particular the purple here represents the existing right-of-way that's the additional right-of-way. The biggest right-of-way take here will be just at that that box culvert as part extending that but it looks like from the preliminary design the limits are staying within the right-of-way. But yeah there will be definitely some trees impacted if that option moves forward. Sorry.

Ron Solberg

My wife is whispering to me and I cannot understand her.

Response: Josh Kueber

I get told all the time I'm too quiet so every time I hear it I just assume it's me.

Ron Solberg

So that purple line that's the existing right-of-way?

Response: Josh Kueber

Yep.

Ron Solberg

Our trees are actually on the right-of-way, so we have no right over my guess.

Mike Huffington

Any other questions from anybody? All right well we will be here till, what seven o'clock? So well be here tell everybody leaves, so if anybody wants to come up and discuss anything with any of us after the presentation here we will be around. I do encourage everybody to submit comments, I will say that if you want your comment to be part of the record, it either needs to be stated during the open forum here or submitted as a written comment, so if anybody has a comment they want to make it onto the record and be part of the decision making process please do submit those comments via one of the many methods that we've got. I'll open it up one more time if anybody's got anything else they want to ask. All right well thank you very, much appreciate you guys taking time out of your evening to come out tonight.

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

PUBLIC HEARING

Studying the expansion of US Highway 52 from a two-lane highway to a four-lane highway.

Minot (approximately 2.3 miles west of Junction 79th Ave SE) to Voltaire.

July 28th, 2026
5:30 p.m.

Location: Velva City Hall,
101 1st St W
Velva, North Dakota

TABLE OF CONTENTS

1. Presentation 3

Mike Huffington 3
Josh Kueber 5
Brent Muscha 5
Unknown Audience Member 6
Mike Huffington 6
Nikki Olson 7
Mike Huffington 8
Josh Kueber 9
Unknown Audience Member 9
Josh Kueber 9
Mike Huffington 10

2. Comments from Public 10

Tracy Krueger 10
Unknown Audience Member 10
Unknown Audience Member 11
Unknown Audience Member 11

ULTEIG

1. PRESENTATION

The Public Hearing presentation commenced at 5:30 p.m. on July 28th, 2026.

Mike Huffington

Good evening everybody sounds like you can hear me. All right, but everybody could find a seat that wants a seat, we'll get going here in just a minute. All right, I'll stay sitting. I like standing but microphones here. So, thank you everybody for taking the time to come out tonight. Tonight, we're going to be presenting on the US Highway 52 four-lane project between Minot and Voltaire. This is a project that's being led by the North Dakota Department of Transportation in cooperation with the Federal Highway Administration. My name is Mike Huffington, I am with all Ulteig Engineers. I'm the consultant project manager for this. Last night we had another Public Hearing the same Public Hearing as well here tonight. I did a very bad job of introducing the rest of our team. So real quick. Josh Kueber. also with Ulteig Engineers, he's the lead designer for the Ward County portions of this project. Brent Muscha with Apex Engineering Group who's our teaming partner for this, the lead designer for the McHenry County. and Nikki Olson with Ulteig. who is leading the environmental efforts.

So, to kick things off just take a quick look at the project corridor here, as I noted, runs from essentially Minot zooming in it'll start where the current four-lane comes to an end. Zooming back out might be a little tough to see on the screen here, but there are a couple paired sets of passing lanes that were installed by the DOT back in 2023, as well as an eastbound passing lane at the south end of this project corridor and as part of this project that passing lane would be extended to tie into this.

So, purpose and need for this project; as we got into this project, started completing some of the studies, going out to the public, we identified four primary needs being perceived safety issues, legislative funding obligations, existing and future traffic needs, and social and economic demands. I'll speak to these in a little more detail here.

Perceived safety issues. The reason that we say perceived, we did complete traffic analysis for this project, which looked at the crash history along the corridor. As you can see these numbers in green, this is the observed crash rate per million vehicle miles traveled and just to the right of it would be the typical range of what we'd expect to see on a roadway of this type. For all these project segments, the observed crash rate does fall within that typical range, which is why we say perceived safeties, but we also know that simple traffic data doesn't really tell the full story. So, looking at the project corridor, the map I have on the screen here shows the ADT or average daily traffic. The numbers in red are the ADT in 2023 and the numbers in blue are the forecasted ADT for 2047 and then right below that we've also got the percentage of truck traffic. So, of that ADT the percent that is composed of large trucks and you could see looking at the area between Velva and Voltaire nearly one out of every three trucks today or every one out of every three vehicles today is a large truck. That percentage drops down a little bit as we get closer to Minot but that's primarily just due to increased influx of pedestrian or excuse me passenger vehicle traffic. Zooming out and taking more of a look around the Minot area you can see again the percentage of truck traffic for each one of these corridors that I have highlighted, and US 52 does have the highest percentage. I will also note that of the other corridors that are highlighted on the screen, all of them are currently four lanes. Additionally, particularly the western part of this project we've got a number of just geographic features, steep terrain, got guardrail in a number of locations, as well as limited shoulders, all that contributes to that driver experience of not feeling overly safe on this corridor is what we've heard a lot from the public up to this point. North Dakota DOT has got their vision zero plan, which is really aimed at decreasing or eliminating fatal and serious injury type crashes. So, we took a look at this corridor as part of the traffic analysis. We modeled what would be predicted crash reduction should this corridor be expanded to a four lanes using the Federal Highways Interactive Highway Safety Design Model. As you can see on the screen that model predicts a 74% reduction in head-on crash potential, a 64% reduction in angled crash potential, and a 42% reduction in rear-end crash potential. The second need is legislative funding obligations. So, I previously highlighted those passing lanes that were put in, as the North Dakota DOT was going through this similar process and engaging with the public for that project, got a lot of feedback particularly as we got closer to Minot saying you know these passing lanes would be nice, but this corridor really needs to be four-laned. That was communicated to state representatives and during the 2023 legislative session as part of House bill 1012, funding was allocated for studying this four lane, which is ultimately the reason why we're here today.

Existing and future traffic needs. You know this corridor is anticipated to see a 35% to 45% overall traffic increase by 2047, again just driving that need for a corridor that can handle both existing and future traffic.

And then finally social and economic demand. There's a lot of users of this roadway that it needs to function for, local and regional commuters, industry, agriculture, as well as military. Lastly, and Brent will speak to this in a little more detail, but we are sitting here in Velva I'm sure a lot of folks here were experienced the 2011 flood. During that flood, just to the west of Velva here, a portion of US Highway 52 was underwater. This can be seen in the photo here. So as part of this project for that segment this project would also incorporate a grade raise to protect the roadway from any future type flood events.

So, this is the I believe it's the third time we've come to the public I think yesterday I said four, but I think this is the third time we've come to the public with this project. Last time was in October, I believe, of last year. There's been a few changes. Just want to highlight those quickly. We'll go into a little more detail, but first one is the community of Sawyer, there previously been options under consideration for closing 2nd Avenue in Sawyer. We'd received some feedback that that access points really not used that much. As well as just some potential turning issues into and out and express some possibility of looking at closing it. So, we did have that option on the table. However, we also received some comments during the last public input meeting that during the 2011 flood that was the only access into and out of Sawyer that was not partially inundated with water. So we confirmed that with the city and have since removed the potential closure option for 2nd Avenue from further consideration. And then secondly, the segments five and six previously we had shown for segment five the depressed median alternative transitioning to a flush median in order to cross the railroad crossing and then only having a flush median alternative through segment six to Voltaire there. We've since revised to incorporate being able to carry the depressed median alternative all the way through segment five and into segment six, but Brent will touch on that in a little more detail here shortly.

So, for those of you that have attended this meeting before the high-level alternatives that we're looking at, which are two of them, have not changed. The first one being four lane with a depressed center median. This would be very similar to US Highway 83 going south of Minot, would have two 12-foot driving lanes in each direction, 8-foot outside shoulders, 4-foot inside shoulders, and then that 52-foot depressed median separating opposing directions of travel. This alternative would have a design and posted speed limit of 70 miles an hour. Pros would be additional level of protection from head-on crashes, the majority of the roadway could be built without impacting the driving public, as we just be constructing the new two-lane adjacent to what's there now. and then it would be consistent with that existing four-lane section to the north that we would tie into. The two primary cons would be an increased footprint and higher overall cost. The second alternative under consideration is four lane with a flush median and this would be similar to what you would see between Watford City and Williston, along US Highway 85. This would have those same two 12-foot driving lanes in each direction, the 8-foot shoulders, but instead of having that depressed grass median separating opposing lanes of traffic or directions of traffic, it would have a paved flush median. That would have a design and posted speed limit of 65 miles an hour. Pros being smaller footprint, utilizing more of those existing passing lanes that were installed, lower cost. The cons being reduced protection for those head-on collisions.

Before I turn it over to Josh and Brent here to step through the corridor in a little more detail. Just want to note that we're not going to be going mile by mile, but there is a QR code here on the screen, as well as in some of that handout material. So, if there's anybody that wants to look at what these alternatives look like both in terms of proposed right-of-way, proposed roadway footprint, if you scan that QR code it will bring up a online mapper. You can zoom in to anywhere to look in more detail if there's specific locations that anybody's concerned about. And then additionally, as you can see on the screen, the overall project corridor, we did break into a total of six different segments. When we started looking at the alternatives holistically, it became apparent that maybe a one-size-fits-all type select this alternative didn't necessarily fit for the whole corridor. So, we did break it into segments to allow some more flexibility if we want to transition design alternatives. With that I'm gonna turn it over to Josh to start stepping through the corridor.

Josh Kueber

So, segment one begins at the existing four-lane, approximately mile marker 101. I'm sorry this and extends all the way down to just west of Highway 23 at 108.9. The two alternatives under consideration is a depressed median, that expands to the south utilizing the existing right-of-way, and then a flush median where we widen equally to both sides of the roadway.

I'm just going to zoom in here real quick. You can see there's was additional right-of-way purchased in the past for a four-lane on the south side of the road. And so that's what really drove that decision to put it on that side of the roadway.

Segment two goes up from just west of Highway 23 all the way to the Ward and McHenry County line. Two options were considered for that segment, a depressed median, also expanding to the south, that utilize additional right-of-way and then a flush median and we looked at shifting the crown slightly due to some constraints in the north side of the roadway. One of those constraints being the Sawyer water tower. You can see here this middle cross-section if we had centered it about the existing crown, we would have impacted the water tower. And so we shifted the crown to the south to avoid that. Moving to 2nd Avenue, there was a definitely some benefit with that shifted crown also due to how steep this existing approach is. And you can see here this isa another project that was completed, preliminarily, to see what protections could be done for Sawyer and the levee hasn't been built yet, so you can see the green was previously flooded in 2011 and didn't impact both of those other access points. And so that's why option to remove 2nd Avenue was removed and it will remain open. Moving further to the east, right when we get to the county line, the road parallels the right-of-way, sorry the railroad right-of-way and we would have end up impacting on the railroad right-of-way and so we maintain that shifted crown through that area and then into segment three and Brent's going to touch on that.

Brent Muscha

All right segment three of the project would start at the McHenry County Ward County line and extend about four miles west to essentially to Velva city limits. There's the same two alternatives for this segment the depressed median with that and with that divided grass median, and then the flush paved median. With both of these options, the entire roadway is going to shift to the south and it's going to shift away from the railroad to accommodate that grade raise that Mike mentioned. That grade raise at its deepest point, which is kind of around the Wildlife Club entrance, would raise the road about six feet and so you can see with the on the left side here if that would be the railroad the new roadway, whether it's divided, which is the option shown on top. So this is essentially looking west towards Velva. The whole roadway is going to shift and raise to the south. Same thing with the flush option, the entire new roadway will shift and raise a raise and shift to the south. With the divided a depressed median option as we get closer to Velva. That you'll have the two separate roadways that will merge into one and at that point it'll just be the same as the flush option. A few reasons why we're doing that, at transitioning to the flush median when we get closer to Velva, is to avoid impacting Holy Cross Cemetery right on the west end of town here on the south side of the tracks. So we're actually bringing the roadway together and kind of adding a little bit of a curve to get around and away from the cemetery. We can't impact that at all and then as we get Into Velva city limits were we'll hold that flush section, and that'll be the option that we have through Velva. So, what we're calling the segment through Velva through town is segment four. We don't have a divided roadway option to build through Velva. That was kind of looked at initially and determined that it wasn't a viable option. So, we only have the flush median option, and I'll show you what that looks like. The I guess there is another option, the other option would be to do nothing. That's an option with any of these segments, with the entire project, is to leave it as is. There was some comments that we got early on about maybe Velva could just stay as it is and that would be the essentially Alternative A. But looking at the flush median option that we would have through Velva would widen what we have now the center lane center turn lane one lane each direction. We would add another lane to the outside of that in each direction keeping the roadway centered right where it is today. The additional options that we are looking at through Velva would be including a shared use path on the north side of the roadway, essentially a 10-foot sidewalk improving pedestrian and bicycle mobility throughout the east and west corridor there. That would start on the west end of town and it would go up to the North Dakota 41 intersection. At the North Dakota 41 intersection, as you can see that that path kind of in in pink here on the north side of the roadway, would then connect to the pedestrian crossing that's there today. We've looked at options to improve that crossing, you may have seen the rapid flashing beacon crossings that are pedestrian activated. Also with this expanded roadway we would add a median to provide a pedestrian refuge out there between the lanes

of traffic. At the North Dakota 41 intersection there are right turn lanes right today for eastbound and westbound traffic, if the roadway expands to four lanes, we would not put those right turn lanes back in, in part to minimize impacts to the surrounding properties. Also, we when we have two lanes already in the same direction that outside lane can function as a as a turn lane. The last option that we've included kind of with the option to build the roadway here would be to add a southbound to westbound right turn lane coming out of Velva going west towards a Minot. That is the heaviest, the most used turn movement at that intersection. Most vehicles that are going that are making a turn are making a turn from going south to going west. Adding that in it's a pretty wide intersection already as it is, I'm sure lots of people just kind of sneak around and make that turn as it is today. But we would we would stripe that out as part of the project to build that. So, getting to the west side of Velva. Yes, sir

Unknown Audience Member

Just a question what would the speed be through Velva, would be the same 40 miles an hour?

Response: Brent Muscha

The speed would be the same.

So, getting through Velva to the west of Velva we've got segment 5 now. Segment 5 goes from Velva to the railroad crossing just before Voltaire. We have two options here, the same kind of a segment 1, 2, and 3, the depressed divided roadway Alternative B, and then the flush median option Alternative C. Through segment 5 again here we look at all the constraints and conditions that we have and the best widening for segment 5 would be to the north side of the roadway. We've got some known some known constraints on the south side with the Gooseneck implement dealership, utilities, there's cultural impacts, so widening to the north side of the roadway through segment 5. And again, as Mike mentioned our previous design alternative, when we got to the railroad crossing was to bring those two lanes of the divided together to minimize the width of the roadway crossing the tracks. We've since revised that to continue the option for a divided roadway all the way through the tracks. So, a little bit more impact to the railroad crossing, but it does keep that divided option through segment 5, and then at the tracks would be where we start what we're calling segment 6. Which is the Voltaire segment from the tracks to um two miles or a mile and a half east of Voltaire, where the passing lane eastbound passing lane would start and we have those same two options for the depressed roadway or the flush roadway. There's been some questions whoops about the railroad crossing. There is a project that's happening this summer to add additional lanes for acceleration and deceleration for trucks at the crossing. So that that crossing after the project this summer will have two lanes each direction plus a 12-foot center median. So, the initial idea was to use some of that just to keep that in place, take the four-lane roadway, and keep that crossing as is. With the divided option, we would have to reconstruct the road the railroad crossing. And then as we get to Voltaire, this is the very east end of the project that we're looking at, the roadway similar to Velva will kind of merge back into a the flush section as we've got some a turn lanes, and we've got the grain elevator and several approaches there also some properties on the south side where we've got constraints within the roadway. And then the eastbound lanes will continue as Mike mentioned a another mile and a half to tie into that eastbound passing lane that was built with the passing lane projects.

Mike Huffington

All right, so how much is this all going to cost? This table on the screen here shows the alternatives and the cost broken down by segment and by alternative. Depending upon what the end selected alternative for each segment is will dictate the final cost, but generally speaking we're looking at a cost range of 187.5 million to 231.7 million, with the lower end generally being representative of the flush median alternative and the higher end being that depressed median.

So next thing I want to pull up here is the preferred alternative, so right now DOT has gone through each segment and identified what they currently view as the preferred alternative that would be carried forward for final design a if this project progresses to final design. It's called preferred and not selected at this point because part of the purpose of today and coming to the public is to get feedback on what they've identified as the preferred alternative so they can take that feedback and ultimately make a selection and have a selected alternative here in the coming months. So, the preferred alternative for segments 1, 2, 5, and 6 would be the divided depressed median alternative and then for segment four which is the segment through Velva it would be the four lane flush paved center median with that shared use path.

ULTEIG

So, what drove the selection of the or identification of the currently preferred alternative. First being safety, and really just that depressed median providing the additional separation between opposing lanes of traffic. Second being public input, as I've mentioned we've come to the public several times. Of the public comments that we have received which have expressed an opinion on the project, 76% have been in favor versus 24% opposed and of those that have provided comments expressing opinions on the alternatives, 42% have favored the depressed median versus 21% favoring the flush median as well as 37% that did not have a preference one way or another. Talking specifically to segment 4 through Velva, the City Council did back in April take a vote as to what they would like to see either being that Alternative C4 the flush four lane or just leaving it as is and their preference was to have Alternative C4 so the four lanes as well as the shared use path and then finally future funding flexibility or future fund future flexibility. I'll speak to this in a little more detail coming up, but right now there has not been dollars identified for final design or construction of this project, so where the project goes after tonight is still up in the air. But have selecting the alternative with a larger footprint does afford additional flexibility in the future should changes happen or change circumstances. So, with that I'm going to turn it over to Nikki to talk through some of the environmental impacts.

Nikki Olson

All right, so I'm going to cover some of the benefits and impacts from the alternatives. I'm going to cover this at a pretty high level but if anyone is interested in diving into the project a little bit deeper, a full environmental assessment was prepared for the project and you can find that environmental assessment on the DOT's website as well as physical hard copies are located in the DOT's central office in Bismarck and the Minot district office.

So, looking at the screen here, these are the resource categories that were analyzed in the EA. I'm not going to go into detail on each one, but I'll do a overall summary for the project. So, we'll start out with the right-of-way.

So the right-of-way, we're going to be acquiring about 94 acres to 182 acres. That lower end of the right-of-way is generally representative of the flush median alternative, and the higher right-of-way acquisition is a generally representative of that depressed median alternative.

So, moving on to the land use, soils, and vegetation. So much to the same tune of the right-of-way Alternative B would have a greater impact on the land use, soils, farmland, and vegetation impacts compared to Alternative C. Largely due to that overall larger footprint. Some of the land use areas that will be impacted by the project include the grasslands, cropland, and developed areas. Overall, the project is not anticipated to have a significant impact on the land use, soils, geological resources, farmland, or vegetation.

Looking at the water resources and water quality, again that Alternative B would have a greater potential for water quality impacts compared to Alternative C, again to that larger footprint. Alternative C would result in more impervious surface though compared to Alternative B after construction due to that paved center median. Overall, the project is not anticipated to have a significant impact on the water resources or water quality.

So, looking at the wetlands and other waters. Again, Alternative B would have a greater impact to wetlands and other waters compared to Alternative C. So, the wetland impacts we're looking at range from 9 to 14 acres. There are jurisdictional wetlands located along this corridor. So, we will need to acquire a Section 404 permit prior to construction, as well as compensatory mitigation. So overall with that we will do not anticipate a significant impact on wetlands or other waters.

So, looking at the floodplains, there are a number of map floodplains along the corridor particularly in segments 1, 2, and 3. Both alternatives would impact those floodplains and as a result we would need to acquire a floodplain development permit prior to construction. Additionally, around the city of Velva, we have a USACE managed floodplain protection levee that will be crossed by the project in two locations. This will require additional coordination with the Corps to make sure that we are in compliance with their Section 408 regulations.

And lastly, as Brent mentioned, both alternatives will incorporate that grade raise in segment 3 which will increase the overall flood resiliency of the roadway. So, with that we do not anticipate to have a significant impact on the floodplains in the area.

So, moving on to the wildlife and threatened and endangered species. So, both alternatives would increase that habitat fragmentation and cause habitat loss with Alternative B having more habitat and loss and that fragmentation than Alternative C. So, with regards to threatened and endangered species, a biological assessment was prepared for the project. As part of the consultation project process with the US Fish and Wildlife Service. With that we you can see on the screen here the effect determination for the various species along the corridor. So, the project will have no effect on the piping plover, the rufa red knot, the piping plover critical habitat, and the Dakota skipper critical habitat. The project may affect but not likely to adversely affect the Northern long-eared bat and the Whooping crane and the project may affect likely to adversely affect the Dakota skipper and that's mostly due to that potential habitat loss. So as part of the consultation project process with the US Fish and Wildlife Service, they issued a biological opinion for the project. Which included an incidental take statement for the Dakota skipper and with that we have some conservation measures to be implemented prior to, during, and after construction. So, with the implementation of those conservation measures, as well as other environmental commitments in the EA, we do not anticipate a significant impact on the wildlife or threatened and endangered species.

So, looking at social and economic. The project is anticipated to bring a number of benefits to the to the region. These include addressed public safety concerns with that greater protection from head-on collisions from Alternative B. Improved traffic operations, the project will support that regional economic development, improve roadway reliability, and expand the pedestrian facilities. So, with those benefits are also a number of impacts including the acquisition of right-of-way, roadway encroachment on a number of homes throughout the corridor, short-term construction-related impacts, and Alternative B may require the removal of two outbuildings along segments 2 and 3. So, with that the proposed action is anticipated to have an overall benefit on the social and economic.

So, looking at noise and visual, so a highway traffic noise analysis was prepared for the project. With that analysis, we determined that there would be three impacted noise receptors from Alternative B and Alternative C would result in four impacted noise receptors. So, noise abatement in the form of noise walls was an was analyzed as part of that Highway traffic noise analysis and it was determined not feasible. There will also be visual impacts to the surrounding landscape due to the roadway corridor, but since this is already an existing road we do not anticipate any major any major changes to that visual landscape and there also will be temporary noise and visual impacts during construction. We do not anticipate this to have a significant impact on the visual resources or highway traffic noise.

So cultural resource investigations were completed for the entire project and a number of cultural resource sites were identified along the project corridor. The team coordinated with the North Dakota State Historic Preservation Office and as a result of that coordination we will be implementing fencing, monitoring, and avoidance stipulations. So with those avoidance stipulations, we do not anticipate the project to have a significant impact on the cultural resources.

And lastly looking at the Section 4(f). So, Section 4(f) is a USDOT law that protects publicly owned parks, recreation areas, wildlife refuges, and significant historic sites. So, along the project corridor, there are a number of Section 4(f) properties and these include some cultural resource sites, the Sawyer baseball diamond as you can see here, as well as the Sno Trails snowmobile trail. Which runs in the ditch of US 52 between Sawyer and Velva. So, the team coordinated with the officials with jurisdiction for these various properties, and in all three cases exceptions to that Section 4(f) approval were applicable. So we do not anticipate any a significant impact on these section 4(f) properties. So, I'll hand it back over to Mike to look at the schedule and funding.

Mike Huffington

All right, so the overall project development has been broken into three phases. Phase one was the preliminary engineering study. Phase two is the environmental document Nikki was just talking about. We are in the process of finishing up phase two currently and then phase three would be final design which would also include right-of-way acquisition and permitting. From a schedule standpoint, you can see that phase two we're anticipating to wrap up in around September of this year that would include the final environmental document, which would also include the selected alternative. And then as I noted previously, as we sit here today there has not been any funding identified for final design or construction. So, when we complete this current phase that will be the end of what's currently funded and any additional steps beyond this will require the DOT or state legislature to identify

funding. So, one of the last things we're going to touch on here I'll turn it back over to Josh is just a high-level overview of what the right-of-way process would be should we progress to the next phase.

Josh Kueber

Do you have a question, okay, I'm sorry. So, the right-of-way process I it's usually like a big discussion, so I just kind of laid out a rough how project progresses. So it preliminary engineering work, today, we're at the public hearings. We'll take that information from the public hearings that'll go to decision makers. That'll help select then the alternative and then this one since funding isn't a been identified yet, you know it'll have to wait until funding becomes available. Once funding becomes available and depending on, you know, how long that is down the road. We may have to do some additional field work but we'd start on final design, right-of-way limits, and then the key here is the right-of-way authorization and so if we use federal funds we have to get authorization and then we can't start any of the right-of-way negotiations or valuations until this has a been completed. Then we will do evaluations and negotiations and I recommend everyone along the corridor grab one of those little yellow pamphlets in the back. If you do lose it, there is a it is on the DOT's website but it's a lot more detailed than I went through here today and so you can look at that and refer to it in the future.

Unknown Audience Member

What if we decide not to sell?

Josh Kueber

Um well, I guess usually what we try to do is we try to work together to find the approved alternative, I mean, it depends on the you know the situation. So you guys will see a lot of additional grading limits for accesses those are kind of showing that getting that seven percent for a private drive in a storage platform. There's a flexibility there, that's not a requirement, we can go steeper and so like during the right-of-way negotiations if your access you don't want it to be longer, you know as we have maybe showed in the preliminary design. We can pull that back, if you want maybe you know part of negotiations is you want your access may move due to it being maybe in a area of concern, so there's a lot of flexibility during I would say you know the process to hopefully find common ground. We last resort always, you know, is a eminent domain, but we avoid that at all cost. We try to find a solution that works best for everybody. Me for I've been fortunate not to have to use that process on a lot of these big dirt grading projects but I mean it has been used in the past. A lot of times it's harder for water main and projects like that, so it's pretty common as part of those projects, but it does lay out in that a pamphlet that process you know really detailed but I mean. That's a you know like say well, that's kind of a few steps down, but yeah, no that's it's a good question that. Part of that right-of-way negotiations, like I just touched on, is a the property access.

So, we just pulled this one up here because this is a access that was improved as part of the passing lane project at the farm supply just west of Sawyer. So you can see that storage platform, it provides that flatter look area so you can sit up there and see cars coming and it makes it easier to get going. So if it does work out that's definitely something we'd like to install, make it easier to get on and off and have better visibility of cars or trucks coming and then like say we try for private drives to get it down to that 7% grade, field drives maximum 10% that's our starting point. Obviously, you know a during the negotiation phase we we have sometimes you know pulled back from that and you know sometimes we get comments you know I'm only here in the summer, or you know I prefer to have a less snow removal I don't mind the steeper grade, and so that's just part of the negotiation, but from an environmental standpoint, we'd rather show a larger footprint, and then you know make it less because if we have more impacts, you know, that may have to open up an environmental document, so it's always better to and I would rather show you know larger case today, and then narrow it up in the future than vice versa.

Another part of the once we get that right-of-way authorization, we'll reach out to landowners, if it appears that the cattle pass maybe it hadn't been used in a while, if it's clearly being used we won't we won't be reaching out to you but like you can see this one here has you know some fairly large trees so in that situation we'll want to reach out and just see if it's something that you can plan on continue using if not you know we won't extend that as part of the project because I mean they are fairly expensive.

So another part of the that happens during the right-of-way negotiations we start reaching out for borrow, waste sites if people are interested maybe in wetland mitigation sites. A project of this size will have multiple borrow and

potentially waste sites, so if you start using a scrapers to move dirt at a certain point sometimes t's cheaper to waste the dirt than it is the haul it a very long distance, if you can get a borrow site closer. And so, if we have those options in the plan that can provide, you know, cost savings to the department and the state and if you want, you know, extra borrow, so I mean it could be a win-win situation. But, if not, you know, then a lot of times, yeah we end up maybe hauling that dirt a little more farther than we'd like to and if someone is yeah interested in a wetland mitigation. You know we're always interested in finding good mitigation sites and with that Mike's going to wrap it up.

Mike Huffington

All right so first just a few housekeeping things, hopefully everybody had a chance to sign in if you haven't signed in please do so before you leave. There are comment cards back there, so really one of the main goals of coming here tonight is to get feedback and preferably we'll open it up here in just a second to questions which will become part of the formal record, but after the open mic Q&A session is done if you want to submit a comment and have it be part of the formal record, it needs to be provided as a written comment either on those comment sheets, and they can be left here today. My email address is on the screen, t's also on the handout materials, can email me comments directly, or you can send me comments via hard mail. The EA is available as Nikki noted if anybody wants to dive into the analysis, it's available on the website as well as the Minot district office and the central office from North Dakota DOT in Bismarck. Well one other thing, there is another sheet back there that's a Title VI form. It's an anonymous survey, if everybody could fill that out, it would be appreciated helps the DOT with their federal funding. And the last thing I want to call attention to again, is just that mapper, so if you scan that QR code a brings you up to this mapper, Like I said, you can zoom in anywhere, you can toggle off between flush median and depress median, look at the right-of-way. There's also an ability to add comments on here, so if there's a specific location that you want to make a comment on if you go down click add comment. There's these design comments, click, and drop it wherever, fill in the information, provide your comment, and then the main thing just make sure you hit create there at the bottom so that it actually saves the comment. But if anybody has any questions, happy to run through that again after the presentation. I will pull that QR code up here one more time, so with that we do have some microphones available. So, if people have questions, we'll get you a microphone if you could please state your name and then ask your question or provide your comment. It would be appreciated, so open it up if anybody has any questions or comments.

2. COMMENTS FROM PUBLIC

Tracy Krueger

Tracy Krueger, what is the proposed change in safety regarding the intersection of 52 and 41, making it going to a four-lane through there, as far as like cross traffic from Highway 41?

Response: Mike Huffington & Brent Muscha

Brent, I don't know if you want to take that from a traffic standpoint.
Sure, so the North Dakota 41 intersection. Yeah, with widening, adding the additional lane in each direction, we'd still have the center left turn lane for each direction. There wouldn't be any change as far as it would still be northbound and southbound traffic would have stop signs. There's not enough traffic at the intersection to warrant a traffic signal. That's something that we looked at early on whether or not it meets the there's federal guidelines for when traffic signals are warranted. And so really that the only change again because you have right now you've got eastbound and westbound lanes. You've got eastbound and westbound right-turn lanes. So, the only change there is adding the through lanes, which makes it a wider intersection for northbound and southbound traffic to cross. Again, installing that center median on the on the east side of the intersection, hopefully provides some traffic calming as well as the pedestrian crossing enhancing that with the push-button activated flashing crossing lights would enhance that safety for the pedestrian crossings but that's essentially all the changes that are proposed at that intersection. In addition to, I guess, I did mention that that southbound right-turn lane to go west.

Unknown Audience Member

Even though a third of the traffic is going to be semis, that doesn't qualify for a stoplight?

Response: Brent Muscha

Sorry, let me get you the microphone.

Unknown Audience Member

Oh, no, I can talk louder. You guys just said a third of the traffic is semis on this road. That's not enough to qualify for a stoplight?

Response: Brent Muscha

No heavy truck traffic is not a consideration for qualified for a stop a traffic signal.

Unknown Audience Member

Well then why have, ok. You're never going be able to cross it. I don’t. They. Whether you're on foot or in a car you’re you're never getting across it, that's all, that’s all I was wondering.

Response: Mike Huffington

And part of it too, with the addition of through lanes there should be less stacking of vehicles through town so, although you're going be crossing a wider area the gaps in traffic should be more available.

Mike Huffington

Any other questions? All right, well we will be around till seven o'clock. So, feel free to grab any of us. Really do encourage everybody to provide comments, if they have any. Otherwise, thank you everybody for coming out. Hope everybody has a good evening

Appendix G, Roster

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	**Meeting Type**	**Meeting Date**
Sleep Inn & Suites. Minot. ND	Public Hearing	07/27/2026
Project Number		**PCN**
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Brent Muscha	Apex Engineering Group		
Address	City	State	ZIP Code
	Fargo	ND	58078
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Matt Mohagen	Apex Engineering Group		
Address	City	State	ZIP Code
	Fargo	ND	58078
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Nikki Olson	Ulteig		
Address	City	State	ZIP Code
	Bismarck	ND	58504
Email Address		Telephone Number	
nikki.olson@ulteig.com			

Name (Please print)	Title/Representing		
JAMES KRUEGER			
Address	City	State	ZIP Code
11901 135TH AV SE	Stuyer	ND	58581
Email Address		Telephone Number	
JMNCK@SRT.Com			

Name (Please print)	Title/Representing		
Rod Johnson			
Address	City	State	ZIP Code
8200 CoRd 19 S8.	Minot	ND	58701
Email Address		Telephone Number	
RJ3@UTMA.Com		701-720.0642	

Name (Please print)	Title/Representing		
Jim Mostad			
Address	City	State	ZIP Code
6101 Cty Rd 19 S.	Minot	ND	58701
Email Address		Telephone Number	
jp mostad @ SRT . Com		720 5288	

Name (Please print)	Title/Representing		
Bob Paulson	State Senator District 3		
Address	City	State	ZIP Code
9801 Hwy 52 S	Minot	ND	58701
Email Address		Telephone Number	
bobthebuilder62@gmail.com		701-833-4752	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	**Meeting Type**	**Meeting Date**
Sleep Inn & Suites. Minot. ND	Public Hearing	07/27/2026
Project Number		**PCN**
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Korby Seward	NDDOT		
Address	**City**	**State**	**ZIP Code**
1305 Hwy 2 E	Minot	ND	58701
Email Address		**Telephone Number**	
korby.seward@nd.gov			

Name (Please print)	Title/Representing		
Chad Frisinger	NDDOT		
Address	**City**	**State**	**ZIP Code**
~~BSI~~ 5125 Boulder Ridge Rd	Bismarck	ND	58503
Email Address		**Telephone Number**	
cfrising@nd.gov		701 328 2558	

Name (Please print)	Title/Representing		
Bob + Jenny Martin			
Address	**City**	**State**	**ZIP Code**
8100 Hwy 52 S			
Email Address		**Telephone Number**	
Martinbj@minot.com		701-626-1726	

Name (Please print)	Title/Representing		
Keith Zahrtleib			
Address	**City**	**State**	**ZIP Code**
	Sawyer	N.D.	58781
Email Address		**Telephone Number**	
Box 186 Sawyer		240-6401	

Name (Please print)	Title/Representing		
Jill Schramm	Minot Daily News		
Address	**City**	**State**	**ZIP Code**
	Minot	ND	58702
Email Address		**Telephone Number**	
jschramm@minotdailynews.com		701-399-8636	

Name (Please print)	Title/Representing		
Dan Mostad			
Address	**City**	**State**	**ZIP Code**
6103 Cty Rd 19 South	Minot	ND	58701
Email Address		**Telephone Number**	
danmostad@gmail.com		701-340-9910	

Name (Please print)	Title/Representing		
★ Doug Stad			
Address	**City**	**State**	**ZIP Code**
9601 64th Ave SE	Minot		
Email Address		**Telephone Number**	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	**Meeting Type**	**Meeting Date**
Sleep Inn & Suites, Minot, ND	Public Hearing	07/27/2026
Project Number		**PCN**
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Thomas J. Klein	Sundre Twnshp / Ward Water District		
Address	**City**	**State**	**ZIP Code**
3504 54th Ave SE	Minot	ND	58701
Email Address		**Telephone Number**	
thokle@srt.com		701-720-8508	

Name (Please print)	Title/Representing		
Kona Joyce Solberg			
Address	**City**	**State**	**ZIP Code**
11010 Hwy 52 S	Minot	ND	58701
Email Address		**Telephone Number**	
cak20@SRT.com		602-570-5708	

Name (Please print)	Title/Representing		
DALE DEIBERT	SNOWMOBILE NORTH DAKOTA		
Address	**City**	**State**	**ZIP Code**
P.O. Box 99	SURREY	ND	58785
Email Address		**Telephone Number**	
Vdeibert@SRT.com		721-9378	

Name (Please print)	Title/Representing		
Chad Bergg	NDDOT - Asst. Dist Eng		
Address	**City**	**State**	**ZIP Code**
1305 Hwy 2 Bypass E	Minot	ND	58701
Email Address		**Telephone Number**	
cbergg@nd.gov		701-720-0451	

Name (Please print)	Title/Representing		
John Fjeldahl	NDRD County Commissioner		
Address	**City**	**State**	**ZIP Code**
306 25th st sw	Beethold	ND	58718
Email Address		**Telephone Number**	
Jfjeldahl@minot.com		7012071634	

Name (Please print)	Title/Representing		
Dave & Mindee Kohlman			
Address	**City**	**State**	**ZIP Code**
~~Dave & Mindee Kohlman~~ 12560 Dakota Ridge Rd	Minot	ND	58701
Email Address		**Telephone Number**	
		701-720-3058	

Name (Please print)	Title/Representing		
Tammi Tibbals			
Address	**City**	**State**	**ZIP Code**
Box 184	Sawyer	ND	58781
Email Address		**Telephone Number**	
BKredAngus@gmail.com		701-625-1866	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	Meeting Type	Meeting Date
Sleep Inn & Suites, Minot, ND	Public Hearing	07/27/2026
Project Number		PCN
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Mike Huffington	Ulteig		
Address	City	State	ZIP Code
Email Address		Telephone Number	
Mike.Huffington@ulteig.com		507-456-7006	

Name (Please print)	Title/Representing		
Address	City	State	ZIP Code
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Address	City	State	ZIP Code
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Address	City	State	ZIP Code
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Address	City	State	ZIP Code
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Address	City	State	ZIP Code
Email Address		Telephone Number	

Name (Please print)	Title/Representing		
Address	City	State	ZIP Code
Email Address		Telephone Number	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	**Meeting Type**	**Meeting Date**
Velva City Hall. Velva. ND	Public Hearing	07/28/2026
Project Number		**PCN**
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Nikki Olson	Ulteig		
Address	City	State	ZIP Code
	Bismarck	ND	58504
Email Address		Telephone Number	
nikki.olson@ulteig.com			

Name (Please print)	Title/Representing		
Mike Huffington	Ulteig		
Address	City	State	ZIP Code
3350 38th Ave S.	Fargo	ND	58104
Email Address		Telephone Number	
mike.huffington@ulteig.com		507-456-7006	

Name (Please print)	Title/Representing		
Alexis Wanek	NDDOT		
Address	City	State	ZIP Code
608 E. BLV Ave	Bismarck	ND	58503
Email Address		Telephone Number	
aawanek@nd.gov			

Name (Please print)	Title/Representing		
Jen Einrem	NDDOT Design		
Address	City	State	ZIP Code
608 E BLVD	BISMARCK	ND	58505
Email Address		Telephone Number	
jleinrem@nd.gov		328-1217	

Name (Please print)	Title/Representing		
Cailey Hanneman	NDDOT ROW		
Address	City	State	ZIP Code
608 E Boulevard Ave	Bismarck	ND	58505
Email Address		Telephone Number	
channeman@nd.gov		328-4102	

Name (Please print)	Title/Representing		
Mark Chilleni	NDDOT		
Address	City	State	ZIP Code
608 E Blvd Ave	Bismarck	ND	58505
Email Address		Telephone Number	
mchilleni@nd.gov			

Name (Please print)	Title/Representing		
Chad Frisinger	NDDOT		
Address	City	State	ZIP Code
	Bismarck	ND	58503
Email Address		Telephone Number	
cfrising@nd.gov		701 328 2558	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	**Meeting Type**	**Meeting Date**
Velva City Hall, Velva, ND	Public Hearing	07/28/2026
Project Number		**PCN**
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Roger Myers	Cottonwood Lake Twp		
Address	**City**	**State**	**ZIP Code**
3573 4th Ave N	Voltaire	ND	58792
Email Address		**Telephone Number**	
rlmyers@srt.com		701 626-1701	

Name (Please print)	Title/Representing		
Jeff Michalenka	C.T. of Berge		
Address	**City**	**State**	**ZIP Code**
419 Main St.	Berge	ND	58792-1104
Email Address		**Telephone Number**	
jandsmichalenka@srt.com		701-525-6724	

Name (Please print)	Title/Representing		
Dennis Wunderlich			
Address	**City**	**State**	**ZIP Code**
3368 10th Ave W	Voltaire	ND	58792
Email Address		**Telephone Number**	
dennis.m.wunderlich@gmail.com		701 626 1934	

Name (Please print)	Title/Representing		
Tom Krumwiede			
Address	**City**	**State**	**ZIP Code**
1550 Hwy 52W	Velva	ND	58790
Email Address		**Telephone Number**	
		701-626-1755	

Name (Please print)	Title/Representing		
Jim Bourdeau	Self / ADM		
Address	**City**	**State**	**ZIP Code**
1388 Highway 97	Velva	ND	58790
Email Address		**Telephone Number**	
jim.bourdeau@adm.com		701-340-2420	

Name (Please print)	Title/Representing		
Matt Mohagen	Apex Engineering		
Address	**City**	**State**	**ZIP Code**
	Fargo	ND	
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Brent Muscha	Apex Engineering		
Address	**City**	**State**	**ZIP Code**
[redacted]	Fargo	ND	58104
Email Address		**Telephone Number**	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant		
Ulteig		
Meeting Location	**Meeting Type**	**Meeting Date**
Velva City Hall. Velva. ND	Public Hearing	07/28/2026
Project Number		**PCN**
4-052(109)101		24012
Project Description		
US Highway 52 Four Lane		

Name (Please print)	Title/Representing		
Josh Kueber	Ulteig		
Address	**City**	**State**	**ZIP Code**
3370 30th Ave S.	Fargo	ND	58104
Email Address		**Telephone Number**	
Josh.Kueber@Ulteig.com			

Name (Please print)	Title/Representing		
Cynthia Shattuck			
Address	**City**	**State**	**ZIP Code**
206 1st ST W	Velva	ND	58790
Email Address		**Telephone Number**	
CindyShattuck1978@icloud.com		701-340-8811	

Name (Please print)	Title/Representing		
DALE DEIBERT	SNOWMOBILE NORTH DAKOTA		
Address	**City**	**State**	**ZIP Code**
P.O. Box 99	SURREY	ND	58785
Email Address		**Telephone Number**	
Vdeibert@srt.com		721-9378	

Name (Please print)	Title/Representing		
Donna Keller			
Address	**City**	**State**	**ZIP Code**
P.O. Box 406	Velva	ND	58790
Email Address		**Telephone Number**	
bdkeller@srt.com		701-624-2399	

Name (Please print)	Title/Representing		
Brandon Keller			
Address	**City**	**State**	**ZIP Code**
	Velva	ND	58790
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Lynn Shattuck			
Address	**City**	**State**	**ZIP Code**
	Velva	ND	58790
Email Address		**Telephone Number**	
		701-240-3508	

Name (Please print)	Title/Representing		
Ross Keller			
Address	**City**	**State**	**ZIP Code**
1501 Hwy 52W	Velva	ND	58790
Email Address		**Telephone Number**	
		701-626-2255	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant			
Ulteig			
Meeting Location	**Meeting Type**		**Meeting Date**
Velva City Hall, Velva, ND	Public Hearing		07/28/2026
Project Number			**PCN**
4-052(109)101			24012
Project Description			
US Highway 52 Four Lane			

Name (Please print)	Title/Representing		
[illegible]			
Address	**City**	**State**	**ZIP Code**
	Minot	ND	58501
Email Address		**Telephone Number**	
		720 280[illegible]	

Name (Please print)	Title/Representing		
Cheri Gackle			
Address	**City**	**State**	**ZIP Code**
Velva PO Box 288	Velva	ND	58790
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Larry Long			
Address	**City**	**State**	**ZIP Code**
10910 Hwy 52S	Minot	ND	58701
Email Address		**Telephone Number**	
		701-240-[illegible]7176	

Name (Please print)	Title/Representing		
Joe Ziet2			
Address	**City**	**State**	**ZIP Code**
Velva PO Box 338			58790
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Korby Seward	NDOT		
Address	**City**	**State**	**ZIP Code**
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Address	**City**	**State**	**ZIP Code**
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Address	**City**	**State**	**ZIP Code**
Email Address		**Telephone Number**	

SIGN-IN SHEET
North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Division/District/Consultant			
Ulteig			
Meeting Location	**Meeting Type**		**Meeting Date**
Velva City Hall. Velva. ND	Public Hearing		07/28/2026
Project Number			**PCN**
4-052(109)101			24012
Project Description			
US Highway 52 Four Lane			

Name (Please print)	Title/Representing		
Kristi Keller			
Address	**City**	**State**	**ZIP Code**
	Velva		
Email Address		**Telephone Number**	
		701-400-2488	

Name (Please print)	Title/Representing		
Anita Zietz			
Address	**City**	**State**	**ZIP Code**
P.O. Box 338	Velva	N.D.	58790
Email Address		**Telephone Number**	
		701-720-0422	

Name (Please print)	Title/Representing		
Scott Blotter			
Address	**City**	**State**	**ZIP Code**
	Velva	ND	58790
Email Address		**Telephone Number**	
sblotter@nd.gov		701-626-1754	

Name (Please print)	Title/Representing		
Tracy Krueger	VCDC		
Address	**City**	**State**	**ZIP Code**
	Velva	ND	58790
Email Address		**Telephone Number**	
		701-720-6187	

Name (Please print)	Title/Representing		
Marion Bontrager	All Star Sheds.		
Address	**City**	**State**	**ZIP Code**
	Velva	ND	58790
Email Address		**Telephone Number**	
		701-509-2394	

Name (Please print)	Title/Representing		
Address	**City**	**State**	**ZIP Code**
Email Address		**Telephone Number**	

Name (Please print)	Title/Representing		
Address	**City**	**State**	**ZIP Code**
Email Address		**Telephone Number**	

Appendix H, Comments

Comment Number	Entity	Date of Comment	Comment	Response
1a	Tore Knudsen, Gravel Products Inc.	6/25/2026	We strongly support a full 4 lane highway from Minot to Voltaire. We use this highway extensively and have aggregate resources directly North of Voltaire that could service this project. There is a vast amount of truck traffic on this stretch and while the additional passing lanes are a welcome development, we believe our own drivers would have enhanced safety by having 4 lanes throughout this area.	Comment noted.
1b			Personally, as a resident of Velva, I also would like to see this due to the farm traffic that traverses this highway in spring and summer and the large number of heavy trucks. Having 4 lanes will allow for a safer margin for all vehicles on this highway.	Comment noted.
1c			Myself and GPI strongly encourage the DOT to continue this design phase and hope to see eventual construction of this project.	Comment noted.
2a	Tessa Miller, City of Sawyer	7/24/2026	This Entrance (Central Ave W) is a high traffic entrance into Sawyer. This would need a turning lane, otherwise traffic will back up into the highway.	The existing left turn lane would be put back as part of either of the alternatives under consideration for this segment.
2b			This is no longer an entrance or street into Sawyer. The property is vacant since the house burned down. Owners do not plan to rebuild, no need for a road into here.	Comment noted.
2c			This approach is not needed as this is also no longer a road.	Comment noted.
3	Unknown	7/27/2026	Would there be a traffic light at the intersection?	A traffic operations report was completed for the project which concluded that a traffic signal at the ND 41 intersection is not warranted. Therefore, installation of a traffic

Comment Number	Entity	Date of Comment	Comment	Response
				signal is not proposed as part of this project.
4a	Ron Solberg	7/27/2026	I live in section/segment one, are the segments numbered in order of construction? Do you do segment one first and end with segment five or six?	The segments were numbered from west to east to correlate with mile marker numbering, not construction phasing. That said, if the project does get constructed, it is likely that the segments closer to Minot would be constructed first.
4b			Could you address the right of way, is there going to be a lot of broadening of the right-of-way and therefore need to purchase from landowners?	Additional right-of-way would be required within each segment, but the amount would vary depending upon the alternative. Overall, the project would require between 94 and 182 acres of additional permanent right of way. Generally speaking, the B alternatives (depressed center median) would require more right of way than the C alternatives (flush center median).
5a	Unknown	7/27/2026	When it crosses the rail tracks, what kind of, how many lanes are you going to have there? Is there going to be a pull over lane on both sides or how's that designed?	How the project crosses the railroad tracks near RP 120.5 will depend upon the alternative. This year, the NDDOT will be installing acceleration and deceleration lanes at this crossing as part of a separate project. Under the flush median alternative, these newly installed lanes would be utilized to carry the four lane highway across the railroad. Under the depressed median alternative, the existing railroad crossing would be reconstructed and the area currently occupied by the highway would become the center median.
5b			Built that way now or is it going to be expanded?	How the project crosses the railroad tracks near RP 120.5 will depend

Comment Number	Entity	Date of Comment	Comment	Response
				upon the alternative. This year, the NDDOT will be installing acceleration and deceleration lanes at this crossing as part of a separate project. Under the flush median alternative, these newly installed lanes would be utilized to carry the four lane highway across the railroad. Under the depressed median alternative, the existing railroad crossing would be reconstructed and the area currently occupied by the highway would become the center median.
6	Dan Mostad	7/27/2026	We're in segment one. Question, does the North Dakota DOT have a level of confidence in the state legislature they're going to have funding and what the matching funding would be from the Federal Highway Administration? Kind of a confidence level of this project to go through?	In 2023, funding was secured for preliminary engineering and preparation of the environmental document. That work is expected to be completed in September, after which the project will pause pending future funding decisions. Additional legislative funding would likely be needed to advance right-of-way acquisition, final design, and utility relocation before construction. While no funding commitments have been made, these activities would be the next logical steps in advancing the project.
7a	Ron Solberg	7/27/2026	On section one on the valley where there's the existing four lanes of passing lanes going almost the full extension of the of the valley there. If that was going to be four lane with the depressed median, is that, how do you do it, do you build one side of the existing road and then tear out the existing road and then build the other	Some pavement associated with the recently installed passing lanes would need to be removed and reconstructed as part of the project. However, not all of the existing pavement would be removed as portions of the existing roadway and shoulders can be incorporated into the proposed design. Additionally,

Comment Number	Entity	Date of Comment	Comment	Response
			existing other side? Can you give me an idea how to visualize how that would be done? Because it looks like you're destroying all the work that was done two years ago.	borrow, asphalt, and aggregate materials from the existing roadway would be salvaged where feasible and reused elsewhere along the corridor.
7b			Basically, the new road would be on one side and the other of the existing road. Where the existing road is now what would then become the median?	Under the depressed median alternative through Segment 1, a new two-lane roadway would be constructed to the south of the existing roadway. This new two lane would carry eastbound traffic while the existing roadway would carry westbound traffic. Where the current passing lanes exist, the project would retain the existing roadway crown, which would require pavement removal from both sides of the existing roadway.
7c			I'm living on the south side and if I visualize the divided highway the eastbound lanes would be basically really encroaching into my property. We have trees and stuff and I'm just a little bit fearful that you're going to remove all our trees and the sound barrier that they provide for us from highway noise and it seems like if the existing roadway becomes the median then there's a lot of encroachment towards our property. We're between mile marker 106 and 107 if you want to actually look at the specific location.	At this location, under the depressed median alternative, the new two lanes of eastbound traffic would be installed to the south of the existing highway which would encroach upon the property in question. Based on preliminary design limits, it appears the roadway footprint will remain with the NDDOT's existing right of way at this location; however, the trees in question are located within the NDDOT's existing right of way.
7d			Ours trees are actually on the right-of-way, so we have no right over my guess.	Comment noted.
8a	Dale Deibert	7/27/2026	The trail runs in the south ditch from Sawyer to Velva. The trail can be anywhere in the ditch and most places away from the roadway as much as	Comment noted.

Comment Number	Entity	Date of Comment	Comment	Response
			possible. The fiber rolls are not a big concern for the snowmobile trails. They should be no problem after a year or two.	
8b			The trail runs from just north of mile marker 111 at Sawyer, east to Velva in the south ditch.	Comment noted.
8c			There is a huge culvert just west of mile marker 112. Would there be a short guard rail be installed next to the culvert. It would still offer room for a trail between the guard rail and the road.	No, currently no guard rail is planned for this location.
8d			There is a cattle pass on the east side of mile marker 112. If the road is wider at this point there is still room in the ditch for the snowmobile trail.	Comment noted.
8e			Have a flat ditch bottom away from the road if possible, if not have a 20 foot ledge next to the road bed.	Comment noted.
9	Unknown	7/28/2026	What would be the speed through Velva, would be the same 40 miles an hour?	The speed would be the same (40 mph).
10	Unknown	7/28/2026	What if we decide not to sell?	NDDOT's preference is to acquire any needed right of way through voluntary negotiations with affected property owners. If a voluntary agreement cannot be reached, state law provides a process for acquiring property for public transportation projects through eminent domain, with compensation provided in accordance with applicable state and federal requirements.
11	Tracy Krueger	7/28/2026	What is the proposed change in safety regarding the intersection of 52 and 41, making it going through a four-lane through there, as far as like cross traffic from highway 41?	The proposed improvements at the ND 41 intersection include widening US 52 to a four-lane divided roadway while maintaining stop control for traffic on ND 41. Traffic volumes do not meet warrants for a traffic signal.

Comment Number	Entity	Date of Comment	Comment	Response
				Safety enhancements include a raised median and an improved pedestrian crossing with push-button activated flashing beacons, which are intended to improve pedestrian safety and visibility through the intersection.
12	Unknown	7/28/2026	Even though a third of the traffic is going to semis, doesn't qualify for a stoplight? You guys just said a third of the traffic is semis on this road. That's not enough to qualify for a stoplight?	While large trucks make up a significant percentage of traffic on US 52, the presence of truck traffic alone does not warrant installation of a traffic signal. Traffic signal warrants are based on guidelines that evaluate factors such as traffic volumes, delays, crash history, and overall intersection operations. Based on the traffic analysis completed for this project, the ND 41 intersection does not meet the criteria for a traffic signal.
13	Unknown	7/28/2026	You're never going to be able to cross it. Whether you're on foot or in a car you're never getting across it.	Although the proposed improvements will result in a wider intersection, the additional through lanes are expected to improve traffic flow on US 52 and reduce vehicle platooning, which may create more opportunities for acceptable gaps in traffic for vehicles entering or crossing at ND 41. Traffic analyses indicate the intersection does not meet warrants for a traffic signal.
14	Joe Zietz	7/28/2026	Please consider halting ATV traffic in ditches after we spend 200 million. What an eye sore.	Comment noted. ATV use along the US 52 corridor is governed by North Dakota law and regulations rather than the project itself. While the proposed improvements will modify portions of the highway right of way, the project does not include any proposed changes to the legal

Comment Number	Entity	Date of Comment	Comment	Response
				operation of ATVs within areas where such use is permitted under state law.
15a	Cindy Shattuck	7/28/2026	Hwy 41 52 Intersection Velva. Problem: Hwy 41 heading down S hill to Hwy 52 intersection need to make a left turn go west alleviate some backed up traffic. Sometimes you site there a long time for a safe left turn. Solution: Can you add a left and right turn lane bottom of Hwy 41. (South side road). Sound side, traffic backed up half way up hill past Dollar General. Traffic is backed up people on a hwy to turn right and left.	A traffic operations report was prepared for this project which analyzed the ND 41 intersection. This report determined that the south leg of this intersection did not meet warrants for turn lanes.
15b			Need to remove curb gutter on this new Hwy 52 and 41. If someone needs to move over to prevent an accident curb stops them. Plus City of Velva is directed by DOT to remove snow. City maintenance ND Street Project – bad decision. DOT cleans snow Hwy 41 and 52 on their normal route E and west Hwy 52 – same 41 clean snow outside City limits N and South. Hazzard to not clean snow by DOT. DOT going over this Hwy any how. Solution clean snow as DOT passes over to clean Highway. Keep blade down Hwy cleared in a few minutes avoids slippery road head on collision.	Comment noted. The proposed build alternative through Velva would retain the curb and gutter as exists currently. The primary purpose of the curb and gutter is to improve roadway drainage, but it also provides secondary benefits such as alerting drivers that they are entering a reduced speed urban roadway segment. Roadway maintenance agreements for US 52 and ND 41 are not within the scope of this project.
16	Cody Mueller	8/8/2026	I am writing to express a concern regarding the designated area of the project, as shown in the attached image. Many drivers frequently turn left at this location to access Finishline Burgers. The section highlighted in red is my property, and it serves as the only viable exit that is not too steep. Other exits cause my fifth-wheel trailers to hit my truck bed sides or cause the rear	NDDOT access management guidelines identify a minimum desirable spacing of 400 to 600 feet between access points on a regional highway in an urban area. The access referenced in the comment is located less than 200 feet from the ND 41 intersection. Due to its proximity to the intersection, modifications to the access were evaluated as part of the

Comment Number	Entity	Date of Comment	Comment	Response
			bumper of my camper to drag. Given these clearance issues, I would appreciate it if we could discuss potential adjustments to safeguard this access point.	project to improve traffic operations and safety. From a traffic operations and safety perspective, eliminating the access would provide the greatest benefit. However, the project team recognizes the importance of this access to adjacent businesses and residences. As a result, the current proposed design would retain the access while restricting it to right-in/right-out movements. During final design, driveway connections will be designed in accordance with NDDOT standards. The project team will continue to work with affected property owners to evaluate access needs and driveway configurations as the design progresses.
17	Jackosn Hurst	8/11/2026	I approve and support NDDOT's U.S. Highway 52 Four Lane Study. The aspect that I love about NDDOT's U.S. Highway 52 Four Lane Study is that US-52 will be widened from 2 lanes to 4 lanes in each direction from Minot to Voltaire which will improve safety, reduce congestion, and improve freight mobility on US-52 in Ward and McHenry Counties, ND.	Comment noted.
18a	Keith Hartleib & Tammi Tibbals	8/12/2026	We are concerned about the plans for the hwy by our farm at 13701 Hwy 52 Sawyer. In the previous Hwy 52 design the creek channel was changed and the land was divided. Because of that the Hartleibs were guaranteed 4 approaches (2 north side, 2 south side)	Comment noted.

Comment Number	Entity	Date of Comment	Comment	Response
			to have access to their property. For access and safety reasons, the state installed large concrete culverts with concrete bottoms to drive farm equipment through to farm land on the south side, also to move livestock through. It is especially important more with the flooding that takes place on the north side.	
18b			The 4 approaches are in our abstract.	Comment noted.
18c			The north west approach is at the wrong slope.	The location and profile of the approaches will be reviewed during final design. If they do not meet the NDDOT standards, they will be redesigned to meet the standards.
18d			We would rather keep the hwy the same but if not, we prefer the 4 lane depressed design – lower cost – less footprint – lower speed limit. The problem with the hwy is because of the (people driving) not the hwy.	Comment noted. Based on the rational provided (lower cost, smaller footprint, and lower speed limit), we understand the comment to express a preference for the flush median alternative.
18e			We also couldn't get the EA from the D.O.T. they didn't have it. At the meeting they said you could get a paper copy of it from the D.O.T.	A copy of the EA was available to review at the NDDOT Central office and Minot district office. The EA was also available on the NDDOT's website.
18f			We would also like to know about the creek changes at 12810 Hwy 52 So.	The channel and associated structure would be modified as needed to accommodate the proposed four-lane expansion of US Hwy 52. The channel would be shifted within the US Hwy 52 ditch, and the box culvert design will be reviewed during final design. Any impacts to wetlands or other waters will be mitigated in accordance with applicable regulatory requirements.

From: Mike Huffington
To: Josh Kueber; Nikki Olson; Mikayla Boche; Whitney Sauskojus
Subject: FW: FW: US Highway 52
Date: Wednesday, July 1, 2026 11:28:05 AM
Attachments: image001.png
image007.png
image001.png
image002.png

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Frisinger, Chad A. <cfrising@nd.gov>
Sent: Wednesday, July 1, 2026 8:22 AM
To: Mike Huffington <mike.huffington@ulteig.com>
Cc: Winn, Patty D. <pdwinn@nd.gov>
Subject: FW: FW: US Highway 52

External Sender Warning: Proceed with Caution!

See email below from FHWA and comment received from Gravel Products.

Chad Frisinger, P.E.
Assistant Division Engineer
NDDOT Design Division

701.328.2558 • 701.224.8559 (m) • cfrising@nd.gov • dot.nd.gov

NORTH Dakota | Transportation
Be Legendary.

From: Sperry, Kristen <kristen.sperry@dot.gov>
Sent: Wednesday, July 1, 2026 7:57 AM
To: Winn, Patty D. <pdwinn@nd.gov>; Frisinger, Chad A. <cfrising@nd.gov>; Ayash, Andy M. <aayash@nd.gov>
Cc: Todd, Pamela (FHWA) <Pamela.Todd@dot.gov>; Handel, Lindsey (FHWA) <lindsey.handel@dot.gov>
Subject: Fwd: FW: US Highway 52

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

FYI: I'm not sure if Michael Wilz has already shared the public comment received during the STIP amendment process below with you. You may want to consider adding it to the public comment portion of the EA.

Thanks,

Kristen Sperry
Planning & Environment Program Manager
North Dakota Division Office,
FHWA
U.S. Department of Transportation
701- 221-9464
Kristen.Sperry@dot.gov

---------- Forwarded message ---------
From: **Wilz, Michael C.** <mwilz@nd.gov>
Date: Mon, Jun 29, 2026 at 8:29 AM
Subject: FW: US Highway 52
To: Sperry, Kristen (FHWA) <kristen.sperry@dot.gov>

Kristen,

We received a comment on the US 52 STIP amendment, see below.

Thanks,

Mike

From: Tore Knudsen <ToreK@gravelproductsinc.com>
Sent: Thursday, June 25, 2026 2:40 PM
To: Wilz, Michael C. <mwilz@nd.gov>
Subject: US Highway 52

You don't often get email from torek@gravelproductsinc.com. Learn why this is important

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

In response to the request for public comments concerning the subsequent development phase concerning Us Highway 52 from Minot to Voltaire, GPI would like to add the following :

We strongly support a full 4 lane highway from Minot to Voltaire. We use this highway extensively and have aggregate resources directly North of Voltaire that could service this project.
There is a vast amount of truck traffic on this stretch and while the additional passing lanes are a welcome development, we believe our own drivers would have enhanced safety by having 4 lanes throughout this area.

1a

Personally, as a resident of Velva, I also would like to see this due to the farm traffic that traverses this highway in spring and summer and the large number of heavy trucks. Having 4 lanes will allow for a safer margin for all vehicles on this highway. 1b

Myself and GPI strongly encourage the DOT to continue this design phase and hope to see eventual construction of this project. 1c

If we, or myself can be of any assistance to DOT as this progresses, please contact me.

Thank you!

Tore Knudsen

Prospector
Gravel Products Inc. 2920 Railway Avenue, Minot ND 58703
Office: 701-857-4922
Cell: 701-721-7205

Name	Representing	Address	Phone Number	Email	Comments	CreationDate	x	y	
Tessa Miller	City of Sawyer	45 Main St N Sawyer, ND	7016245649	cityofsawyer58781@outlook.com	This Entrance is a high traffic entrance into Sawyer. This would need a turning lane, otherwise traffic will back up into the highway.	07/24/2026 15:49:08.633	-101.072	48.08959	2a
Tessa Miller	City of Sawyer	45 Main St N Sawyer, ND	7016245649	cityofsawyer58781@outlook.com	This is no longer an entrance or street into Sawyer. The property is vacant since the house burned down. Owners do not plan to rebuild, no need for a road into here.	07/24/2026 16:24:49.787	-101.054	48.08643	2b
Tessa Miller	City of Sawyer	45 Main St N	7016245649	cityofsawyer58781@outlook.com	This appproach is not needed as this is also no longer a road.	07/24/2026 16:49:51.801	-101.047	48.08611	2c

lanes would be about five feet of widening on each side because those through lanes are already wider than 12 feet. So, there would be a little bit of widening on each side to build that into the flush section.

Through segment four we also have kind of a standalone alternative that could be carried forward with part of the roadway project or done as a separate project and that would be to build a shared use path kind of from the western edge of city limits up to the North Dakota 41 intersection and that would be on the north side of the roadway. That would be a 10-foot shared use path proposed. And then also in segment four at the North Dakota 41 intersection kind of based on the traffic characteristics there and some of the other constraints going on, we would be keeping the left turn lanes for eastbound and westbound. But with a five lane section we would be removing the right turn lanes for eastbound and westbound to kind of minimize some of those impacts. Plus, we've already got we'll have that additional outside lane that can be used. The heaviest turning movement at this intersection is the southbound right turn lane, southbound to go west towards Minot. So, we would add a dedicated right turn lane at the intersection. It's already kind of being used as a right turn lane, people will kind of slip by and get around traffic stopped at the stoplight but as part of the project we would include that. And then also another option with or without the roadway is to improve this crossing, this pedestrian crossing on 52. That's the only crossing that would be proposed in Velva and so that would be enhanced with a median pedestrian refuge here and potentially rectangular rapid flashing beacon signs for pedestrians to activate when they're crossing.

Unknown Audience Member

3 Would there be a traffic light at the intersection?

Brent Muscha

No, there would not be, a traffic signal is not warranted at that intersection so it would not be included.

Segment five is from the east side of Velva down to the railroad spur towards Voltaire. This segment has two options, the divided depressed option and the flush median option. With the divided depressed option through this segment we would look to widen to the north side of existing US 52. There's a few reasons for that. We've got constraints with private utilities. There's the Gooseneck implement dealership that's on the south side of the roadway. There's also some cultural sites that are avoidance areas along this segment that we're working around. So, all the widening for four lanes would occur on the north side of the roadway. For a flush median option, it would be centered on the existing roadway. So, we would use that existing roadway and just widen from there. As Mike mentioned previously we were looking at towards the end of segment five bringing a divided four lane roadway back to a flush section to get across the railroad spur. There is a project actually occurring this summer here to add acceleration and deceleration lanes at that railroad spur. So that'll be basically 60 foot wide section across that that the tracks there. So, we were kind of tying into that. That was part of the previous design. One thing we kind of went back and looked at is what if we carried the divided roadway through the railroad tracks. Obviously, that would require some rework on the tracks and redoing that. But we're doing that in order to kind of carry that throughout the project corridor.

And into segment six which is the east end of the project. So, this is from the railroad spur through Voltaire and tying in at RP 123 where that eastbound passing lane starts, the existing eastbound passing lane starts. And so we've got our two alternatives here. The depressed median option and the flush median option. Here's a look at that improved railroad crossing that you'll see being built this summer and what that looks like. So, the flush option would just use this existing crossing configuration. The divided will expand that into the four separate lanes. And as we get into Voltaire then you'll see the divided depressed options come together almost like when we get to Velva those lanes will come together. That is in order to reduce impacts to the grain elevator, and then there's also some residences on the south side of US 52 in Voltaire and essentially the project will tie into this main intersection at Voltaire. The eastbound two lanes then will continue on to tie into that eastbound passing lane that's existing.

Mike Huffington

Alright. So cost. You can see this table has got the cost broken down by alternative by segment. So, depending upon the combination of alternatives the price can vary but generally speaking we're looking at a range of 187.5

ULTEIG

western end of the project you guys can leave a comment card because that will be more cost effective than hauling it a long ways. With that Mike's going to close it up.

Mike Huffington

All right I'm going to do a few housekeeping items here first so as Nikki noted the EA is available for viewing either on the DOT's website otherwise there are hard physical copies at the Minot district office as well as the DOT central office in Bismarck. Public comments can be submitted, they are due August 12th and there's a handful of ways they can be submitted. First and easiest for everybody in this room there are comment cards in the back that can be filled out left with us today. They can be emailed to myself, my email address is on here as well as on the materials that you would have picked up in the back or if you want to send a physical hard mail that works as well. There are also a sign-in sheet back there anybody that didn't sign in I would request that you could please sign in before you leave just so we can get a good head count on who all participated tonight. And there's also a title six form that it's an anonymous form but if you guys could fill it out helps the DOT with their federal funding components.

The last thing I do want to do. I've got to remember how to use my computer. Give me one sec here. All right so this is that map viewer that I was talking about so if you scan any of the QR codes on the materials there it does allow you to zoom into the project corridor. You can toggle on and off the alternatives as well as the right-of-way so if you want to look at a specific location and then as I noted over here there is this option to add a comment if you click on that, click design comments, then you can go and drop a comment anywhere you'd like, fill in this information, put your comment in there, and then the important part is hit this create button at the bottom so that it's saved. So anybody that wants to utilize that method for posting a comment I just want to note that please remember to hit the create button in the end so that the comment actually gets saved on there. So, with that I will pull this up one more time and then I will open it up to questions and we do have some microphones, this meeting is being recorded since this is a public hearing so if anybody has a question please raise your hand so we can bring you a microphone so that it gets recorded for part of the public record. So, I don't know if you guys want to fire those up and. What's that? Oh yeah, and anybody that has a comment could you please state your name for the record before you ask the comment or ask the question.

2. COMMENTS FROM PUBLIC

Ron Solberg

4a My name is Ron Solberg I live in section segment one, are the segments numbered in order of construction? Do you do segment one first and end with segment five or six?

Response: Mike Huffington

Not necessarily I guess they go from west to east because that's how the mile marker numbers go; however, it would be most likely that if this were to go to construction that it would start from the west closer to Minot and then work to the east but that's not a guarantee, correct.

Ron Solberg

4b And could you address the right-of-way is there going to be a lot of broadening of the right-of-way and therefore need to purchase from landowners?

Response: Mike Huffington

Yes, so I can pull the right-of-way slide back up here. Generally speaking, I think it's about 180 to 200. Or excuse me not 180, 94 to 182 acres of new additional permanent right-of-way that would be required. You can see in this table a good chunk of that is segment one where we do have that rougher terrain we need to particularly to tie in the slopes got to go further out from the roadway, that's a big part of it. And then there's also a fair amount required in segment three and again that's due to both the grade raise and then when we enter segment three we no longer have that excess existing right-of-way. So through segments, through the majority of segments one and

two the DOT currently owns excess right-of-way to the south that was purchased many decades ago for the potential of expanding at a later date. When we get to segment three we don't have that existing excess right-of-way and then the need to shift away from the railroad plus the grade raise incorporates the need for additional right-of-way through there.

Unknown:

5a Just a question on when it crosses the rail tracks, what kind of, how many lanes are you going to have there? Is there going to be a pull over lane on both sides or how's that designed?

Response: Mike Huffington

Yeah, you're talking down by Voltaire, correct?

Unknown:

5b Correct, yes. Built that way now or is it going to be expanded?

Response: Mike Huffington

So, it depends on the alternative. So, if it's if it's a flush median that would go through there, pull this back up, it would right now later this year the DOT will essentially be constructing this through the addition of acceleration and deceleration lanes at that railroad crossing. So, if it were the flush median alternative that gets selected at that crossing location, then it would be those two twelve foot driving lanes in each direction separated by a paved twenty foot wide median which would essentially salvage what's going to be there after construction season this year. Under the depressed median alternative, so part of the reason why we didn't have the depressed median under consideration previously was because we were trying to salvage and use the existing roadway that's out there, in order to fit a depressed median alternative through these, it's tight here because of these two there's spurs both north and south of the crossing so we would essentially be constructing a new two lane to the north of the current roadway as well as a new two lane to the south and then where the roadway sits currently would be the depressed median.

Dan Mostad

6 Dan Mostad, we're in segment one. Question, does the North Dakota DOT have a level of confidence in the state legislature they're going to have funding and what the matching funding would be from the Federal Highway Administration? Kind of a confidence level of if this project will go through?

Response: Mike Huffington

Chad, do you want to answer that one at all?

Response: Chad Frisinger

Sure. I'm Chad Frisinger I'm from the North Dakota DOT central office out of Bismarck and you know like Mike said you know in 2023 your local representation was successful in getting funding to do the preliminary engineering and environmental document. That's all the funding that they've provided and right now this will wrap up in September, and we will be paused until the session begins again. I guess we don't have a good feel, I assume your local legislative representation will ask for additional funds. You know I think the logical step would be to purchase the right-of-way and finish the design, move the utilities. Those three things it's going to be substantial amount of money, that's before we do the project. You know, Mike described the project is going to be 200 plus million dollars, but I think, that's what they did on highway 85. Basically, they provided money to purchase right-of-way and move utilities. That would be the next logical step, but yeah I don't have a good feel for it, but I'm sure that your local representation will be requesting additional funds.

Ron Solberg

7a I'm Ron Solberg again. On section one on the valley where there's the existing four lanes of passing lanes going almost the full extension of the of the valley there. If that was going to be four lane with the depressed median, is that, how do you do it, do you build on one side of the existing road and then tear out the existing road and then build the other existing other side? Can you give me an idea how to visualize how that would be done? Because it looks like you're just destroying all the work that was done two years ago.

Response: Mike Huffington

Yeah, at a high level you're correct.

Response: Josh Kueber

The shoulder that's there is the top match what was already there, the four lane will have an eight foot on the outside so it wouldn't be removing all of the pavement but yeah a portion of it would be then removed as a part of the project, you're correct. And we would then salvage that borrow that was placed previously along the corridor and then that asphalt and aggregate we'd salvage that and use it for somewhere else along the corridor, maybe approaches.

Ron Solberg

7b Basically, the new road would be on one side and the other of the existing road. Where the existing road is now that would then become the median?

Response: Josh Kueber

Let me pull up a typical here, this might help. I was just thinking the, this one right here. Because you have the typical right? Here we go. So yeah the, what we would do is we would construct the, because you are talking the depressed median option right?

Ron Solberg

Right.

Response: Josh Kueber

Okay, yeah perfect. Yep, we'd construct that on the south side then you could move traffic onto the south side and then yeah, you would, this is a narrower footprint than where the passing lanes are, so we'd have to remove that additional widening in those locations but we would salvage that at other locations, the aggregate and the borrow that was previously placed. But did I answer your question, I'm not sure? I'm sorry.

Ron Solberg

7c I'm living on the south side and if I visualize the divided highway the eastbound lanes would be basically really encroaching into my property. We have trees and stuff and I'm just a little bit fearful that you're going to remove all our trees and the sound barrier that they provide for us from highway noise and it seems like if the existing roadway becomes the median then there's a lot of encroachment into, towards our property.

Response: Josh Kueber

Oh yeah, right here, I don't know if you can see the mouse, the this side is the existing roadway, that will still be there so yeah then there would be, the median is not where the road is now it would be over 84 feet center to center. We'd build the additional two lanes on the south side of the roadway, but we can pull up this here in the back if you'd like and we could

Ron Solberg

We're between mile marker 106 and 107 if you want to actually look at the specific location.

Response: Josh Kueber

So yeah, this location in particular the purple here represents the existing right-of-way that's the additional right-of-way. The biggest right-of-way take here will be just at that that box culvert as part extending that but it looks like from the preliminary design the limits are staying within the right-of-way. But yeah there will be definitely some trees impacted if that option moves forward. Sorry.

Ron Solberg

My wife is whispering to me and I cannot understand her.

Response: Josh Kueber

I get told all the time I'm too quiet so every time I hear it I just assume it's me.

Ron Solberg

So that purple line that's the existing right-of-way?

Response: Josh Kueber

Yep.

Ron Solberg

7d Our trees are actually on the right-of-way, so we have no right over my guess.

Mike Huffington

Any other questions from anybody? All right well we will be here till, what seven o'clock? So well be here tell everybody leaves, so if anybody wants to come up and discuss anything with any of us after the presentation here we will be around. I do encourage everybody to submit comments, I will say that if you want your comment to be part of the record, it either needs to be stated during the open forum here or submitted as a written comment, so if anybody has a comment they want to make it onto the record and be part of the decision making process please do submit those comments via one of the many methods that we've got. I'll open it up one more time if anybody's got anything else they want to ask. All right well thank you very, much appreciate you guys taking time out of your evening to come out tonight.

DALE DEIBERT
P.O. Box 99 2501 104th St. NE
SURREY, N.D 58785

nikki olson.

Enclosed are some details for the Highway 52 passing and turn lane improvement between Sawyer and Velva. I also some of the bert conditions for the snowmobile trail.

8a The trail runs in the south ditch from Sawyer to Velva. The trail can be anywhere in the ditch and most places away from the road way as much as possible. The fiber rolls are not a big concern for the snowmobile trails. they would be no problem after a year or two.

8b The trail runs from just west of mile marker 111 at Sawyer, east to Velva in the south ditch.

8c There is a large culvert just west of mile marker 112. would there be a short guard rail be installed next to the culvert. It would still allow room for a trail between the guard rail and the road.

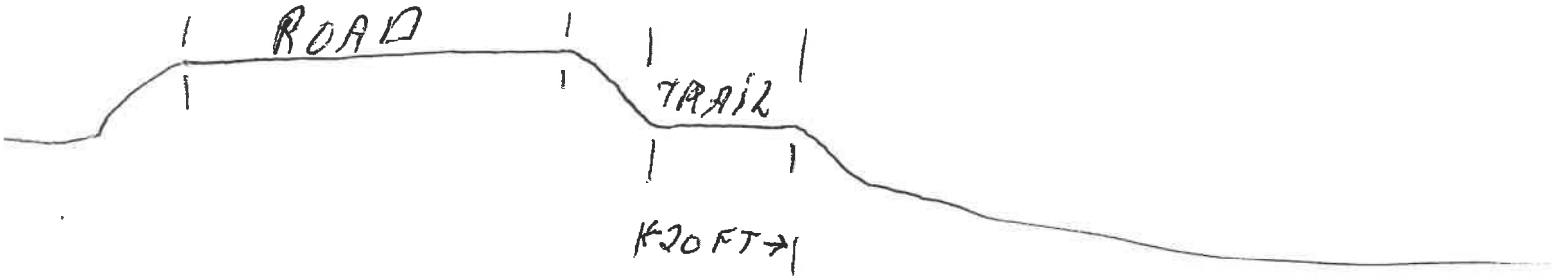
8d There is a cattle pass on east side of mile marker 112. If the road is wider at this point there is still room in the ditch for the snowmobile trail.

If there is any other concerns let me know. thanks

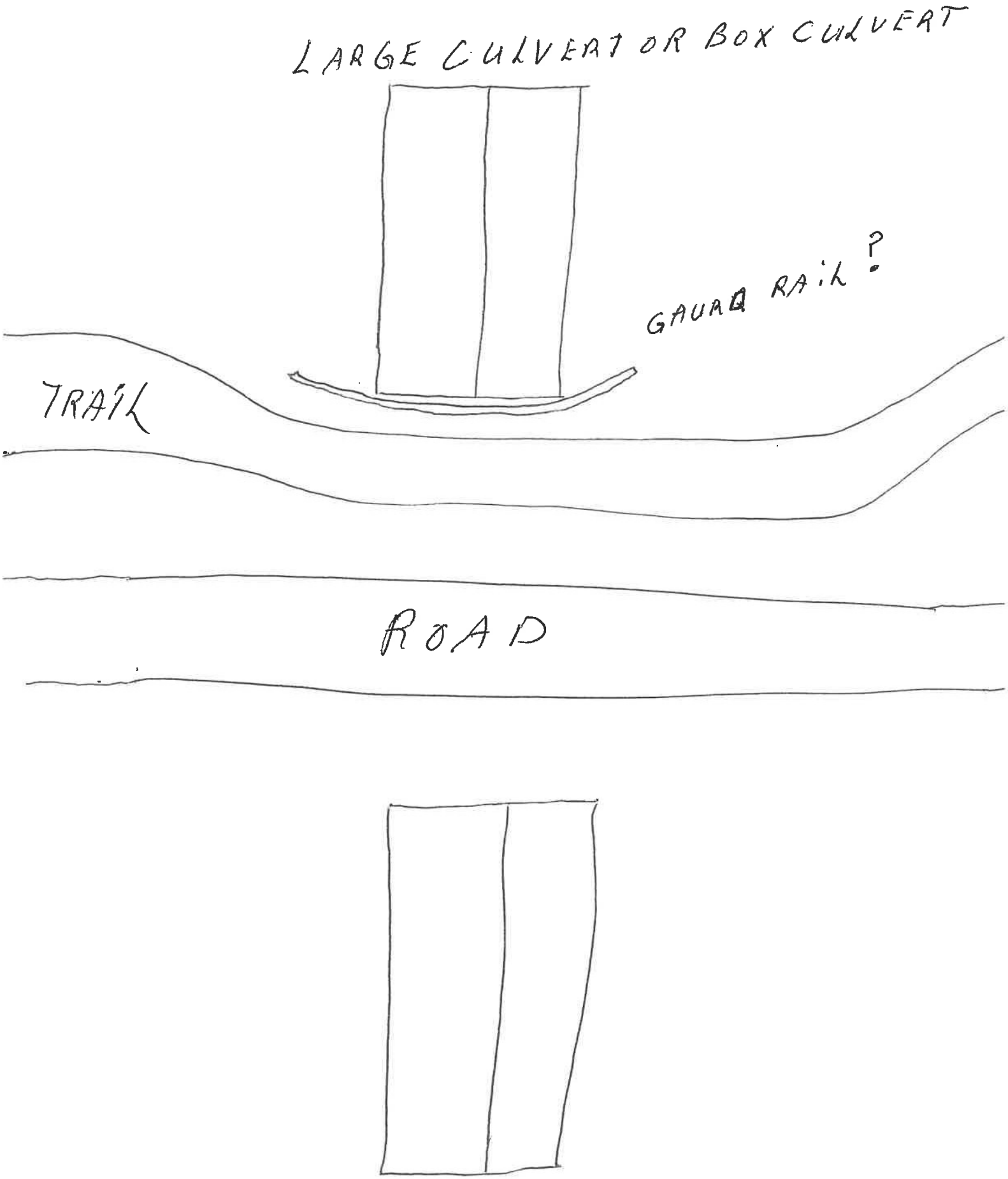
Dale

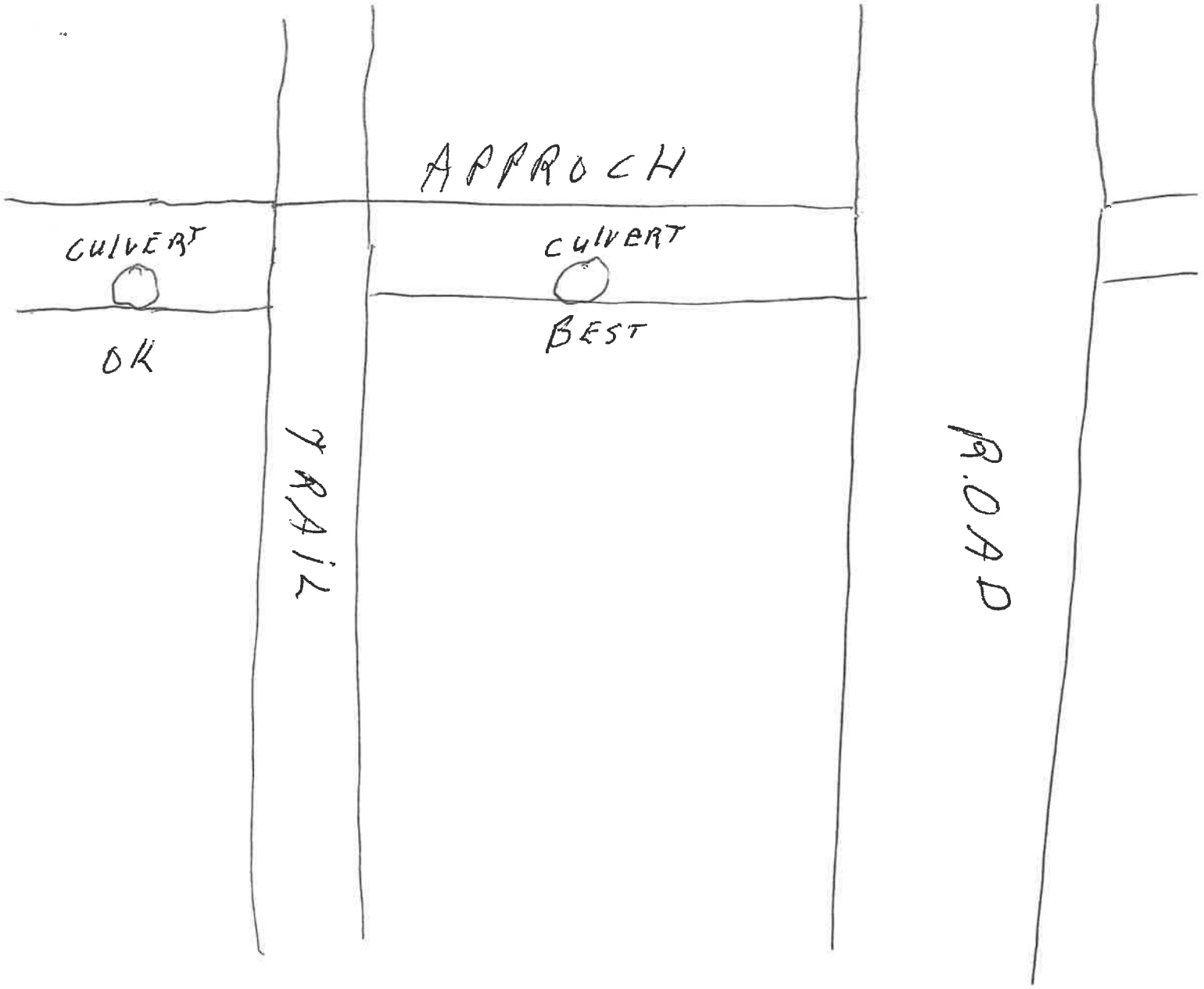
8e

Have a flat ditch bottom away from the Road if possible, if not have a 20 foot ledge next to the road bed.



20 FOOT WIDE TRAIL BED OR MORE


LARGE CULVERT OR BOX CULVERT
GAURD RAIL ?
TRAIL
ROAD


APPROCH
CULVERT
OK
CULVERT
BEST
TRAIL
ROAD

Good morning Dale,

I am following up regarding our US Highway 52 four lane project that we discussed over the phone back in November. Similar to when the passing lanes were constructed, the NDDOT is requesting your signature for concurrence that the identified snowmobile trail occupies a transportation facility right-of-way without limitation to any specific location within the right-of-way and the continuity of the trail is maintained, which therefore would allow NDDOT to apply the 23 CFR 774.13 f(3) exception and further allow the proposed project to proceed as planned.

Please see attached letter for your review and signature (we will also be mailing you a hard copy for your convenience).

If you could please provide us back a signed copy of this letter, it would be greatly appreciated. This can be sent back to us electronically via email or as a hard copy via mail, whichever is easier for you. Or, if you would prefer to stop by Ulteig's Bismarck office to sign in person, we can accommodate that as well.

If you send it via mail, it can be sent directly to Cory Lawson who's contact information is listed below.

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

Thank you for your time, and please reach out with any questions.

Sincerely,

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: • **Mobile:** 45[illegible]
Employee-Owned |

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

1-8-26

NORTH Dakota | Transportation

Be Legendary.

January 7, 2026

Dale Deibert
Snowmobile North Dakota
PO Box 99
Surrey, ND 58785

Subject: PROJECT NO. 4-052(109)101, PCN 24012, MINOT TO E OF VOLTAIRE
US Highway 52 - Snowmobile Trail

Dear Mr. Deibert,

The North Dakota Department of Transportation (NDDOT) in cooperation with Federal Highway Administration (FHWA), is proposing a roadway expansion project on US Highway 52. The project extends from near Minot to east of Voltaire in Ward and McHenry Counties. Funding for construction has not yet been identified; therefore, a construction date is not available at this time. The earliest anticipated construction date would be spring 2027.

An existing snowmobile trail (i.e., Sno-Trails Snowmobile Trail) was identified within the proposed project limits between Sawyer and Velva. The snowmobile trail provides a recreation opportunity for individuals in the surrounding area. The snowmobile trail is listed on the Snowmobile North Dakota trail map as occurring within NDDOT right-of-way and it would be impacted by the proposed project.

The two build alternatives under consideration for the project (i.e., Alternative B and Alternative C) propose expanding US Highway 52 from a two lane highway into a four lane highway. Alternative B, a depressed center median, and Alternative C, a flush paved center median, are being analyzed across six segments established along the project corridor (see enclosed Project Segments Map). The snowmobile trail would be impacted by Alternatives B and C in Segments 2, 3, and 4 due to the widening of the roadway along the ditch to the south of US Highway 52 (see enclosed Section 4(f) Properties Map). Completion of the project would result in flat ditch bottoms, where applicable, which would follow a route similar to the existing snowmobile trail. The use of riprap in the ditch is necessary in various locations for the proposed roadway improvements. Final design of the preferred build alternative would ensure the riprap does not block or prevent use of the route by trail users, the trail remains functional, and connectivity is maintained between Sawyer and Velva.

The snowmobile trail is protected under Section 4(f) of the Department of Transportation Act of 1966. 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, FHWA has identified various exceptions to the requirement for Section 4(f) approval including the exception found at 23 CFR 774.13 f(3). This exception applies when the use of the Section 4(f) property occurs on trails, paths, bikeways, and sidewalks that occupy a transportation facility right-of-way without limitation to any specific location within that right-of-way, so long as the continuity of the trail, path, bikeway, or sidewalk is maintained.

To apply the exception found at 23 CFR 774.13 f(3), the official(s) with jurisdiction over the Section 4(f) resource (i.e., Snowmobile North Dakota and the snowmobile trail, respectively) must agree that, at this particular location, occupies a transportation facility right-of-way without limitation to any specific location within that right-of-way, and that the continuity of the trail, path, bikeway, or sidewalk will be maintained. Based on the review of the area, design discussions with Snowmobile North Dakota, and the surrounding land use of the trail, this appears to be the case.

Request of Concurrence

NDDOT requests concurrence from Snowmobile North Dakota that the identified snowmobile trail occupies a transportation facility right-of-way without limitation to any specific location within the right-of-way and the continuity of the trail, path, bikeway, or sidewalk will be maintained, which therefore would allow FHWA to apply the 23 CFR 774.13 f(3) exception.

Please provide your written concurrence by January 28, 2026. We appreciate your attention and response. 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,

Wanek, for

Cory Lawson
Environmental Services 1 Section Leader, Environmental Services Leader

cl/ws

Enclosure(s): Project Segments Map, Section 4(f) Properties Map

Concurrence

Snowmobile North Dakota has consulted with NDDOT and hereby concurs that the snowmobile trail occupies a transportation facility right-of-way without limitation to any specific location within the right-of-way and the continuity of the trail, path, bikeway, or sidewalk is maintained at the location described and shown in the appended exhibit, which therefore allows NDDOT to apply 23 CFR 774.13 f(3) Exception and proceed with the proposed project as planned.

Dale Deibert — Snowmobile North Dakota

1-23-26 — Date

US 52 Four Lane Section 4(f) Properties
Ward and McHenry Counties, ND

Ulteig

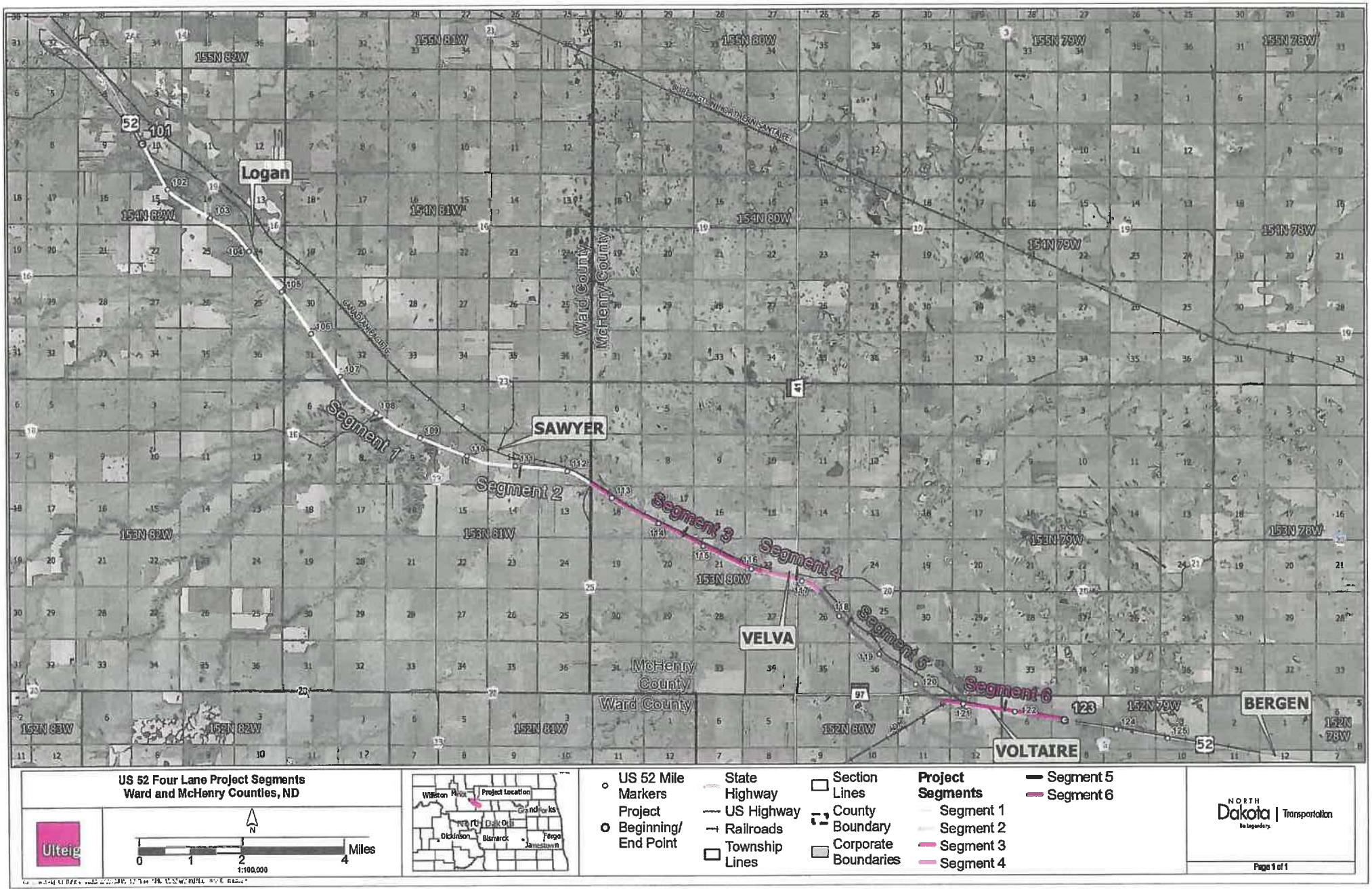
N

0 0.25 0.5 1 Miles

1:30,000

- US 52 Mile Markers
- State Highway
- US Highway
- Railroads
- Township Lines
- Section Lines
- County Boundary
- Corporate Boundaries
- Study Area
- SnoTrails Snowmobile Trail
- Sawyer Baseball Diamond

North Dakota | Transportation



US 52 Four Lane Project Segments
Ward and McHenry Counties, ND

Ulteig

N

0 1 2 4 Miles

1:100,000

Williston Minot Project Location Grand Forks Devils Lake Dickinson Bismarck Fargo Jamestown

- US 52 Mile Markers
- Project Beginning/ End Point
- State Highway
- US Highway
- Railroads
- Township Lines
- Section Lines
- County Boundary
- Corporate Boundaries

Project Segments
- Segment 1
- Segment 2
- Segment 3
- Segment 4
- Segment 5
- Segment 6

NORTH Dakota | Transportation
Be Legendary.

of traffic. At the North Dakota 41 intersection there are right turn lanes right today for eastbound and westbound traffic, if the roadway expands to four lanes, we would not put those right turn lanes back in, in part to minimize impacts to the surrounding properties. Also, we when we have two lanes already in the same direction that outside lane can function as a as a turn lane. The last option that we've included kind of with the option to build the roadway here would be to add a southbound to westbound right turn lane coming out of Velva going west towards a Minot. That is the heaviest, the most used turn movement at that intersection. Most vehicles that are going that are making a turn are making a turn from going south to going west. Adding that in it's a pretty wide intersection already as it is, I'm sure lots of people just kind of sneak around and make that turn as it is today. But we would we would stripe that out as part of the project to build that. So, getting to the west side of Velva. Yes, sir

Unknown Audience Member

9 Just a question what would the speed be through Velva, would be the same 40 miles an hour?

Response: Brent Muscha

The speed would be the same.

So, getting through Velva to the west of Velva we've got segment 5 now. Segment 5 goes from Velva to the railroad crossing just before Voltaire. We have two options here, the same kind of a segment 1, 2, and 3, the depressed divided roadway Alternative B, and then the flush median option Alternative C. Through segment 5 again here we look at all the constraints and conditions that we have and the best widening for segment 5 would be to the north side of the roadway. We've got some known some known constraints on the south side with the Gooseneck implement dealership, utilities, there's cultural impacts, so widening to the north side of the roadway through segment 5. And again, as Mike mentioned our previous design alternative, when we got to the railroad crossing was to bring those two lanes of the divided together to minimize the width of the roadway crossing the tracks. We've since revised that to continue the option for a divided roadway all the way through the tracks. So, a little bit more impact to the railroad crossing, but it does keep that divided option through segment 5, and then at the tracks would be where we start what we're calling segment 6. Which is the Voltaire segment from the tracks to um two miles or a mile and a half east of Voltaire, where the passing lane eastbound passing lane would start and we have those same two options for the depressed roadway or the flush roadway. There's been some questions whoops about the railroad crossing. There is a project that's happening this summer to add additional lanes for acceleration and deceleration for trucks at the crossing. So that that crossing after the project this summer will have two lanes each direction plus a 12-foot center median. So, the initial idea was to use some of that just to keep that in place, take the four-lane roadway, and keep that crossing as is. With the divided option, we would have to reconstruct the road the railroad crossing. And then as we get to Voltaire, this is the very east end of the project that we're looking at, the roadway similar to Velva will kind of merge back into a the flush section as we've got some a turn lanes, and we've got the grain elevator and several approaches there also some properties on the south side where we've got constraints within the roadway. And then the eastbound lanes will continue as Mike mentioned a another mile and a half to tie into that eastbound passing lane that was built with the passing lane projects.

Mike Huffington

All right, so how much is this all going to cost? This table on the screen here shows the alternatives and the cost broken down by segment and by alternative. Depending upon what the end selected alternative for each segment is will dictate the final cost, but generally speaking we're looking at a cost range of 187.5 million to 231.7 million, with the lower end generally being representative of the flush median alternative and the higher end being that depressed median.

So next thing I want to pull up here is the preferred alternative, so right now DOT has gone through each segment and identified what they currently view as the preferred alternative that would be carried forward for final design a if this project progresses to final design. It's called preferred and not selected at this point because part of the purpose of today and coming to the public is to get feedback on what they've identified as the preferred alternative so they can take that feedback and ultimately make a selection and have a selected alternative here in the coming months. So, the preferred alternative for segments 1, 2, 5, and 6 would be the divided depressed median alternative and then for segment four which is the segment through Velva it would be the four lane flush paved center median with that shared use path.

funding. So, one of the last things we're going to touch on here I'll turn it back over to Josh is just a high-level overview of what the right-of-way process would be should we progress to the next phase.

Josh Kueber

Do you have a question, okay, I'm sorry. So, the right-of-way process I it's usually like a big discussion, so I just kind of laid out a rough how project progresses. So it preliminary engineering work, today, we're at the public hearings. We'll take that information from the public hearings that'll go to decision makers. That'll help select then the alternative and then this one since funding isn't a been identified yet, you know it'll have to wait until funding becomes available. Once funding becomes available and depending on, you know, how long that is down the road. We may have to do some additional field work but we'd start on final design, right-of-way limits, and then the key here is the right-of-way authorization and so if we use federal funds we have to get authorization and then we can't start any of the right-of-way negotiations or valuations until this has a been completed. Then we will do evaluations and negotiations and I recommend everyone along the corridor grab one of those little yellow pamphlets in the back. If you do lose it, there is a it is on the DOT's website but it's a lot more detailed than I went through here today and so you can look at that and refer to it in the future.

Unknown Audience Member

10 What if we decide not to sell?

Josh Kueber

Um well, I guess usually what we try to do is we try to work together to find the approved alternative, I mean, it depends on the you know the situation. So you guys will see a lot of additional grading limits for accesses those are kind of showing that getting that seven percent for a private drive in a storage platform. There's a flexibility there, that's not a requirement, we can go steeper and so like during the right-of-way negotiations if your access you don't want it to be longer, you know as we have maybe showed in the preliminary design. We can pull that back, if you want maybe you know part of negotiations is you want your access may move due to it being maybe in a area of concern, so there's a lot of flexibility during I would say you know the process to hopefully find common ground. We last resort always, you know, is a eminent domain, but we avoid that at all cost. We try to find a solution that works best for everybody. Me for I've been fortunate not to have to use that process on a lot of these big dirt grading projects but I mean it has been used in the past. A lot of times it's harder for water main and projects like that, so it's pretty common as part of those projects, but it does lay out in that a pamphlet that process you know really detailed but I mean. That's a you know like say well, that's kind of a few steps down, but yeah, no that's it's a good question that. Part of that right-of-way negotiations, like I just touched on, is a the property access.

So, we just pulled this one up here because this is a access that was improved as part of the passing lane project at the farm supply just west of Sawyer. So you can see that storage platform, it provides that flatter look area so you can sit up there and see cars coming and it makes it easier to get going. So if it does work out that's definitely something we'd like to install, make it easier to get on and off and have better visibility of cars or trucks coming and then like say we try for private drives to get it down to that 7% grade, field drives maximum 10% that's our starting point. Obviously, you know a during the negotiation phase we we have sometimes you know pulled back from that and you know sometimes we get comments you know I'm only here in the summer, or you know I prefer to have a less snow removal I don't mind the steeper grade, and so that's just part of the negotiation, but from an environmental standpoint, we'd rather show a larger footprint, and then you know make it less because if we have more impacts, you know, that may have to open up an environmental document, so it's always better to and I would rather show you know larger case today, and then narrow it up in the future than vice versa.

Another part of the once we get that right-of-way authorization, we'll reach out to landowners, if it appears that the cattle pass maybe it hadn't been used in a while, if it's clearly being used we won't we won't be reaching out to you but like you can see this one here has you know some fairly large trees so in that situation we'll want to reach out and just see if it's something that you can plan on continue using if not you know we won't extend that as part of the project because I mean they are fairly expensive.

So another part of the that happens during the right-of-way negotiations we start reaching out for borrow, waste sites if people are interested maybe in wetland mitigation sites. A project of this size will have multiple borrow and

potentially waste sites, so if you start using a scrapers to move dirt at a certain point sometimes t's cheaper to waste the dirt than it is the haul it a very long distance, if you can get a borrow site closer. And so, if we have those options in the plan that can provide, you know, cost savings to the department and the state and if you want, you know, extra borrow, so I mean it could be a win-win situation. But, if not, you know, then a lot of times, yeah we end up maybe hauling that dirt a little more farther than we'd like to and if someone is yeah interested in a wetland mitigation. You know we're always interested in finding good mitigation sites and with that Mike's going to wrap it up.

Mike Huffington

All right so first just a few housekeeping things, hopefully everybody had a chance to sign in if you haven't signed in please do so before you leave. There are comment cards back there, so really one of the main goals of coming here tonight is to get feedback and preferably we'll open it up here in just a second to questions which will become part of the formal record, but after the open mic Q&A session is done if you want to submit a comment and have it be part of the formal record, it needs to be provided as a written comment either on those comment sheets, and they can be left here today. My email address is on the screen, t's also on the handout materials, can email me comments directly, or you can send me comments via hard mail. The EA is available as Nikki noted if anybody wants to dive into the analysis, it's available on the website as well as the Minot district office and the central office from North Dakota DOT in Bismarck. Well one other thing, there is another sheet back there that's a Title VI form. It's an anonymous survey, if everybody could fill that out, it would be appreciated helps the DOT with their federal funding. And the last thing I want to call attention to again, is just that mapper, so if you scan that QR code a brings you up to this mapper, Like I said, you can zoom in anywhere, you can toggle off between flush median and depress median, look at the right-of-way. There's also an ability to add comments on here, so if there's a specific location that you want to make a comment on if you go down click add comment. There's these design comments, click, and drop it wherever, fill in the information, provide your comment, and then the main thing just make sure you hit create there at the bottom so that it actually saves the comment. But if anybody has any questions, happy to run through that again after the presentation. I will pull that QR code up here one more time, so with that we do have some microphones available. So, if people have questions, we'll get you a microphone if you could please state your name and then ask your question or provide your comment. It would be appreciated, so open it up if anybody has any questions or comments.

2. COMMENTS FROM PUBLIC

Tracy Krueger

11 Tracy Krueger, what is the proposed change in safety regarding the intersection of 52 and 41, making it going to a four-lane through there, as far as like cross traffic from Highway 41?

Response: Mike Huffington & Brent Muscha

Brent, I don't know if you want to take that from a traffic standpoint.
Sure, so the North Dakota 41 intersection. Yeah, with widening, adding the additional lane in each direction, we'd still have the center left turn lane for each direction. There wouldn't be any change as far as it would still be northbound and southbound traffic would have stop signs. There's not enough traffic at the intersection to warrant a traffic signal. That's something that we looked at early on whether or not it meets the there's federal guidelines for when traffic signals are warranted. And so really that the only change again because you have right now you've got eastbound and westbound lanes. You've got eastbound and westbound right-turn lanes. So, the only change there is adding the through lanes, which makes it a wider intersection for northbound and southbound traffic to cross. Again, installing that center median on the on the east side of the intersection, hopefully provides some traffic calming as well as the pedestrian crossing enhancing that with the push-button activated flashing crossing lights would enhance that safety for the pedestrian crossings but that's essentially all the changes that are proposed at that intersection. In addition to, I guess, I did mention that that southbound right-turn lane to go west.

Unknown Audience Member

12 Even though a third of the traffic is going to be semis, that doesn't qualify for a stoplight?

Response: Brent Muscha

Sorry, let me get you the microphone.

Unknown Audience Member

12 Oh, no, I can talk louder. You guys just said a third of the traffic is semis on this road. That's not enough to qualify for a stoplight?

Response: Brent Muscha

No heavy truck traffic is not a consideration for qualified for a stop a traffic signal.

Unknown Audience Member

13 Well then why have, ok. You're never going be able to cross it. I don't. They. Whether you're on foot or in a car you're you're never getting across it, that's all, that's all I was wondering.

Response: Mike Huffington

And part of it too, with the addition of through lanes there should be less stacking of vehicles through town so, although you're going be crossing a wider area the gaps in traffic should be more available.

Mike Huffington

Any other questions? All right, well we will be around till seven o'clock. So, feel free to grab any of us. Really do encourage everybody to provide comments, if they have any. Otherwise, thank you everybody for coming out. Hope everybody has a good evening

US HIGHWAY 52 FOUR LANE COMMENT CARD

PROJECT 4-052(109)101 PCN 24012 | 2.3 MILES WEST OF JUNCTION 79TH AVE SE TO VOLTAIRE

Email comments with the subject line:
Note: "*US Highway 52 Four Lane*" in the email subject heading

by **August 12, 2026** to:
Mike.Huffington@Ulteig.com

or mail comment card to:
Ulteig Operations LLC Attn: Mike Huffington 3350 38th Ave South Fargo, ND 58104

Comment(s)

Please Consider halting ATV traffic in ditches after we spend 200 million.

What an eye Sore.

14

Joe Zietz
Name

Tax Payers
Representing

P.O box 338
Address

701-338-2018
Phone

Email

COMMENT CARD

Comment(s)

(1) Hwy 41 52 Intersection Velva 15a

Problem:

Hwy 41 heading down S hill to Hwy 52 Intersection

Need to make a left turn go West Elivate some backed up traffic,

Sometimes you sit there a long time

for a safe left turn.

solution: Can you add a Left & Right turn Lane

bottom of Hwy 41. (South side Road)

S Side Traffic backed up half way up hill past

Dollar General.

~~N side~~ Traffic is backed up People in a hurry to turn Right & left.

(2) Need to remove curb gutter on this new an accident 15b

Hwy 52 & 41 of someone need to move over to prevent Curb Stops

them. Plus City of Velva is directed by

~~OT~~ DOT to remove snow. City maintence ND Street Project - bad decission

DOT cleans snow Hwy 41 + 52 on their Normal

route E & West Hwy 52 - Same 41 clean

snow outside City limits N & South.

Hazzard to not Clean snow by DOT

Dot going over these Hwy any how.

solution Clean snow as DOT passes over

to Clean Hwy way. Keep blade down Hwy

Cleared in a few minutes avoids slippery road head on Collision

Please respond to

Cindy Shattuck PO Box 5

Velva ND 58790

Nikki Olson

From: Mike Huffington
Sent: Monday, August 10, 2026 7:49 AM
To: Josh Kueber; Nikki Olson
Subject: FW: Public Hearing - PCN 24012

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Cody Mueller <muel953@gmail.com>
Sent: Saturday, August 8, 2026 12:03 PM
To: Mike Huffington <mike.huffington@ulteig.com>
Subject: Public Hearing - PCN 24012

You don't often get email from muel953@gmail.com. Learn why this is important

External Sender Warning: Proceed with Caution!

I am writing to express a concern regarding the designated area of the project, as shown in the attached image. 16

Many drivers frequently turn left at this location to access Finishline Burgers. The section highlighted in red is my property, and it serves as the only viable exit that is not too steep. Other exits cause my fifth-wheel trailers to hit my truck bed sides or cause the rear bumper of my camper to drag.

Given these clearance issues, I would appreciate it if we could discuss potential adjustments to safeguard this access point.

Best regards,

Cody Mueller

From: Mike Huffington
To: Josh Kueber; Nikki Olson
Subject: FW: Public Hearing - PCN 24012 In-Person Public Hearing (7/27/26) Public Comment
Date: Wednesday, August 12, 2026 8:26:50 AM
Attachments: image001.png

Mike Huffington
Senior Market Leader
3350 38th Ave S • Fargo, ND 58104
Direct: (701) 280-8655 • **Mobile:** (507) 456-7006
Employee-Owned | ulteig.com

Emails from this individual may contain sensitive material and are for the intended recipient's sole use. Use or distribution by an unintended recipient is prohibited and may be a violation of the law. If you received this in error, please inform the sender that you have deleted the email and any copies.

From: Jackson Hurst <ghostlightmater@yahoo.com>
Sent: Tuesday, August 11, 2026 3:05 PM
To: Mike Huffington <mike.huffington@ulteig.com>
Subject: Public Hearing - PCN 24012 In-Person Public Hearing (7/27/26) Public Comment

You don't often get email from ghostlightmater@yahoo.com. Learn why this is important

External Sender Warning: Proceed with Caution!

Name - Jackson Hurst

Address - 4216 Cornell Crossing, Kennesaw, Georgia 30144

Comment - I approve and support NDDOT's U.S. Highway 52 Four Lane Study. The aspect that I love about NDDOT's U.S. Highway 52 Four Lane Study is that US-52 will be widened from 2 lanes to 4 lanes in each direction from Minot to Voltaire which will improve safety, reduce congestion, and improve freight mobility on US-52 in Ward and McHenry Counties, ND.

17

sent from ghostlightmater@yahoo.com

US HIGHWAY 52 FOUR LANE COMMENT CARD

PROJECT 4-052(109)101 PCN 24012 | 2.3 MILES WEST OF JUNCTION 79TH AVE SE TO VOLTAIRE

Email comments with the subject line:
Note: "*US Highway 52 Four Lane*" in the email subject heading

by **August 12, 2026** to:
Mike.Huffington@Ulteig.com

or mail comment card to:
Ulteig Operations LLC Attn:
Mike Huffington 3350 38th Ave South Fargo, ND 58104

Name

Representing

Address

Phone

Email

Comment(s)

We are concerned about the plans for the hwy. by our farm at 13701 Hwy 52 Sawyer. In the previous Hwy 52 design the creek channel was changed and the land was divided. Because of that the Hartlieb were guarenteed 4 approaches (2 North side, 2 South side,) to have access to their property. For access and safety reasons, the state installed large concrete culverts with concrete bottoms to drive farm equiptment through to farm land on the South side, Also to move livestock through. It is especially important now with the flooding that takes place on the north side. 18a

The 4 approaches are in our abstract. 18b

The north most approach is at the wrong slope. 18c

We would rather keep the hwy the same but if not, we prefer the 4 lane Depressed Design - Lower Cost - less ~~foot~~ Print - Lower Speed limit. The problem with the hwy. is because of the people driving not the hwy. 18d

PS. We also couldn't get the ea from the D.O.T they didn't have it. at the meeting they said you could get a paper copy of it from the D.O.T.. We would also like to know about the creek change at 12810 Hwy 52 So. 18e

Keith Hartlieb
Tammi Tibbals
701-626-1866
Bkres4ngus@gmail.com 18f

Appendix I, Title VI Public Participation Surveys

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☐ Female	☒ Male	☐	**Disability:** ☐ Yes ☐ No
Age:	☐ Under 18	☐ 18-40	☐ 41-65	☒ 65+

Race:

- ☒ White
- ☐ Asian
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaskan Native
- ☐ Hispanic or Latino
- ☐ _____
- ☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☒ No

How did you hear about this event?

☐ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	☐ Newspaper	☐ Advocacy Group
☒ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/27/2026	004	51	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☐ Female	☒ Male	☐	
Disability:	☐ Yes	☒ No		
Age:	☐ Under 18	☐ 18-40	☐ 41-65	☒ 65+

Race:

- ☒ White
- ☐ Asian
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaskan Native
- ☐ Hispanic or Latino
- ☐ _____
- ☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☒ No

How did you hear about this event?

☐ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	☐ Newspaper	☐ Advocacy Group
☒ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/27/2026	004	51	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex: ☐ Female	☒ Male	☐	**Disability:** ☐ Yes ☒ No
Age: ☐ Under 18	☐ 18-40	☒ 41-65	☐ 65+

Race:

- ☒ White
- ☐ Asian
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaskan Native
- ☐ Hispanic or Latino
- ☐ _____
- ☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☒ No

How did you hear about this event?

☐ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	☒ Newspaper	☐ Advocacy Group
☐ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/27/2026	004	51	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☐ Female	☒ Male	☐	**Disability:** ☐ Yes	☒ No
Age:	☐ Under 18	☐ 18-40	☐ 41-65		☒ 65+

Race:

- ☒ White
- ☐ Asian
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaskan Native
- ☐ Hispanic or Latino
- ☐ _____
- ☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☒ No

How did you hear about this event?

☒ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	☐ Newspaper	☐ Advocacy Group
☒ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/27/2026	004	51	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☐ Female	■ Male	☐	**Disability:** ☐ Yes	■ No
Age:	☐ Under 18	☐ 18-40	■ 41-65	☐ 65+	

Race:

- ■ White
- ☐ Asian
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaskan Native
- ☐ Hispanic or Latino
- ☐ _____
- ☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	■ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ■ No

How did you hear about this event?

■ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	■ Newspaper	☐ Advocacy Group
☐ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/28/2026	050	25	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☐ Female	☒ Male	☐	**Disability:** ☐ Yes	☒ No
Age:	☐ Under 18	☐ 18-40	☐ 41-65	☒ 65+	

Race:

☒ White
☐ Asian
☐ Native Hawaiian/Other Pacific Islander
☐ American Indian/Alaskan Native
☐ Hispanic or Latino
☐ _____
☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☒ No

How did you hear about this event?

☐ Internet	☐ NDDOT Contact	☒ Television
☒ Radio	☒ Newspaper	☐ Advocacy Group
☐ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/28/2026	050	25	64	24012

MPO:
☐ Bismarck-Mandan
☐ Fargo-Moorhead Metro COG
☐ Grand Forks-East Grand Forks

ROW:
☐ Negotiation
☐ Relocation

Subrecipient:
☐ Yes
☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☒ Female	☐ Male	☐	**Disability:**	☐ Yes	☒ No
Age:	☐ Under 18	☐ 18-40	☐ 41-65	☒ 65+	

Race:

- ☒ White
- ☐ Asian
- ☐ Native Hawaiian/Other Pacific Islander
- ☐ American Indian/Alaskan Native
- ☐ Hispanic or Latino
- ☐ _____
- ☐ Black/African American

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☐ No

How did you hear about this event?

☐ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	☐ Newspaper	☐ Advocacy Group
☐ Mailing	☐ Social Service Agency	☒ Up Town Drug Store

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/28/2026	050	25	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.

NDDOT TITLE VI PUBLIC PARTICIPATION SURVEY

North Dakota Department of Transportation, Civil Rights
SFN 60149 (7-2025)

PLEASE USE DARK INK AND PRINT CLEARLY

The Civil Rights Act of 1964 and related nondiscrimination authorities require the North Dakota Department of Transportation to ensure everyone has the opportunity to comment on the transportation programs and activities that may affect their community.

To help with that, we ask that you respond to the following questions. You are not required to disclose the information requested in order to participate. Any information provided to the NDDOT will be retained solely for the purpose of collecting statistical data to ensure inclusion of all segments of the population affected by transportation programs and activities.

Sex:	☒ Female	☐ Male	☐	**Disability:** ☐ Yes	☐ No
Age:	☐ Under 18	☐ 18-40	☒ 41-65		☐ 65+

Race:

☒ White	☐ Asian
☐ Native Hawaiian/Other Pacific Islander	☐ American Indian/Alaskan Native
☐ Hispanic or Latino	☐ _____
☐ Black/African American	

Language Most Frequently Spoken in your Home:

☐ Spanish	☐ Vietnamese	☐ Japanese
☐ German	☐ Arabic	☐ Other Slavic Language
☐ Other African Language	☐ Russian	☒ English
☐ Chinese	☐ Other India Language	☐ _____

Do you receive public assistance? ☐ Yes ☒ No

How did you hear about this event?

☐ Internet	☐ NDDOT Contact	☐ Television
☐ Radio	☒ Newspaper	☐ Advocacy Group
☐ Mailing	☐ Social Service Agency	☐ _____

For Office Use Only

Event Date (MM/DD/YYYY)	City	County	Div/Dist Number	PCN
07/28/2026	050	25	64	24012

MPO:
- ☐ Bismarck-Mandan
- ☐ Fargo-Moorhead Metro COG
- ☐ Grand Forks-East Grand Forks

ROW:
- ☐ Negotiation
- ☐ Relocation

Subrecipient:
- ☐ Yes
- ☐ No

*After you have completed this form, please return it to the Civil Rights Division.