

## Memorandum: Re-evaluation of Environmental Finding

**To:** Project File

**From:** Rebecca Jablon, AICP, LEED AP  
CDM Smith

**Date:** December 25, 2014

**Subject:** City of Minot CDBG-DR Program  
**14<sup>th</sup> Avenue SE, 16<sup>th</sup> Avenue SE and 46<sup>th</sup> Street SE Roadway Repair Project**  
**Expansion of Proposed Project Location**

In accordance with the use of CDBG-DR funds, the City of Minot (City) is the responsible entity for completing the federally required environmental review in accordance with 24 CFR Part 58. The City retained CDM Smith to assist with the environmental review process. The 14<sup>th</sup> Avenue SE, 16<sup>th</sup> Avenue SE, and 46<sup>th</sup> Street SE Roadway Repair Project received Environmental Clearance to Release Funds on January 27, 2014. However, the proposed project location has since expanded to include 10-foot temporary construction easements along the three roadways.

Per 24 CFR 58.47, CDM Smith, on behalf of the City, has examined the amendment to the above-referenced project and re-evaluated the Environmental Determination of the original project:

- The amendment does propose substantial changes in the nature, magnitude or extent of the project, including new activities not anticipated in the original scope of the project;

*Due to the changed nature of the proposed project, a re-evaluation analysis was conducted, which found the proposed project, as amended, to be in compliance with applicable statutes, executive orders and regulations listed at 24 CFR 58.5. Therefore, the amendment is covered by the original environmental determination and the Finding of No Significant Impact (FONSI).*

- There are new circumstances or environmental conditions that have arisen during project implementation; and
- An alternative not considered in the original assessment is being proposed.

This amendment does not change the original Environmental Finding, and the original Finding of No Significant Impact (FONSI) is still valid.

# Re-evaluation of Environmental Finding

## 14<sup>th</sup> Avenue SE, 16<sup>th</sup> Avenue SE and 46<sup>th</sup> Street SE Roadway Repair Project

### **Project Location not included in the Original Proposed Action:**

The proposed activities would extend beyond the existing right-of-ways (ROWs) of the three roadways to encompass temporary 10-foot construction easements along the southside of 14<sup>th</sup> Avenue SE, the westside of 46<sup>th</sup> Street SE and the southside of 16<sup>th</sup> Avenue SE. A location map is attached.

### **Description of the Activities not included in the Original Proposed Action:**

The proposed temporary construction easements would facilitate the proposed storm sewer excavation, street subgrade, and curb and gutter work along the roadways.

### **Re-evaluation Analysis**

Ten-foot temporary construction easements along 14<sup>th</sup> Avenue SE, 16<sup>th</sup> Avenue SE and 46<sup>th</sup> Street SE would not change the Federal and State agency consultation submittals or findings. Nor would it change the figures (location figure, floodplain maps, NEPAAssist reports, wetlands map and soil maps) developed for the original environmental review. All figures show an approximation of the proposed project location, which includes an area encompassing the proposed temporary construction easements.

However, as a result of the revised project location, the following resource areas were re-evaluated:

#### Compatibility & Urban Impact

The construction easements will be temporary, and will therefore not have long-term effects. The proposed project would be compatible with existing land use in the project vicinity, which is zoned for manufactured housing and commercial.

#### Displacement

The temporary construction easements would not cause displacement of any homes or businesses, as it would be confined to the front yards of the affected neighboring lots. Best management practices (BMPs) would be employed to ensure that access to these lots would not be obstructed.

#### Open Space

As the construction easements are temporary, and along the existing ROWs, there would be no long-term adverse effects to open space. BMPs, as outlined in the original environmental review, would be implemented to prevent obstructing access to adjacent open space by construction equipment.

#### Vegetation and Wildlife

The temporary construction easements are along roadway ROWs and through developed lots in an urbanized setting. Based on aerial photograph review, vegetation appears limited to grass, scattered trees and conventional landscaping. Activities associated with the proposed project are not expected to generate adverse effects on vegetation or wildlife. BMPs, as outlined in the original environmental review, would be implemented to revegetate cleared areas as soon as possible. As indicated in the original environmental review, no endangered or threatened species are known to occupy the project area.

### **Summary of Findings & Conclusions**

The construction easements will be temporary, and will therefore not result in long-term adverse environmental impacts. Based on completion of this re-evaluation, environmental review of the proposed project, as amended, indicates there will be no significant changes to existing environmental conditions across the impact categories implemented by HUD in response to the National Environmental Policy Act of 1969. Thus, the original environmental determination and the Finding of No Significant Impact (FONSI) remain valid.

**List of Sources Consulted for this Re-evaluation Analysis**

City of Minot, Property Map,  
<http://gis.minotnd.org/FMv2/default.aspx?enc=2mzOcMiaXwip8TUCt11mtQzFB5roYocql4Ti%2fadJcYcWOa vahll0MSleqfnxnXPNIk71nzi3iQqugWdNioN5lw%3d%3d&=>

City of Minot, Zoning Map,  
[www.minotnd.org/pdf/minotzoning.pdf](http://www.minotnd.org/pdf/minotzoning.pdf)

Google™ Earth Pro, Aerial Mapping

**Conditions for Approval not included in the Original Proposed Action**

- Require the construction contractor to implement the following measures for mitigation of construction impacts:
  - Prevent impeding traffic flow along construction routes and obstructing access to adjacent lots.

**Environmental Review Preparer's Information:**

Environmental Preparer's name, title, and organization (printed or typed):

Rebecca Jablon, AICP, LEED AP, Environmental Planner, CDM Smith


Environmental Preparer's signature: 

Date: December 25, 2014

**Responsible Entity, Representative's Information/Certification:**

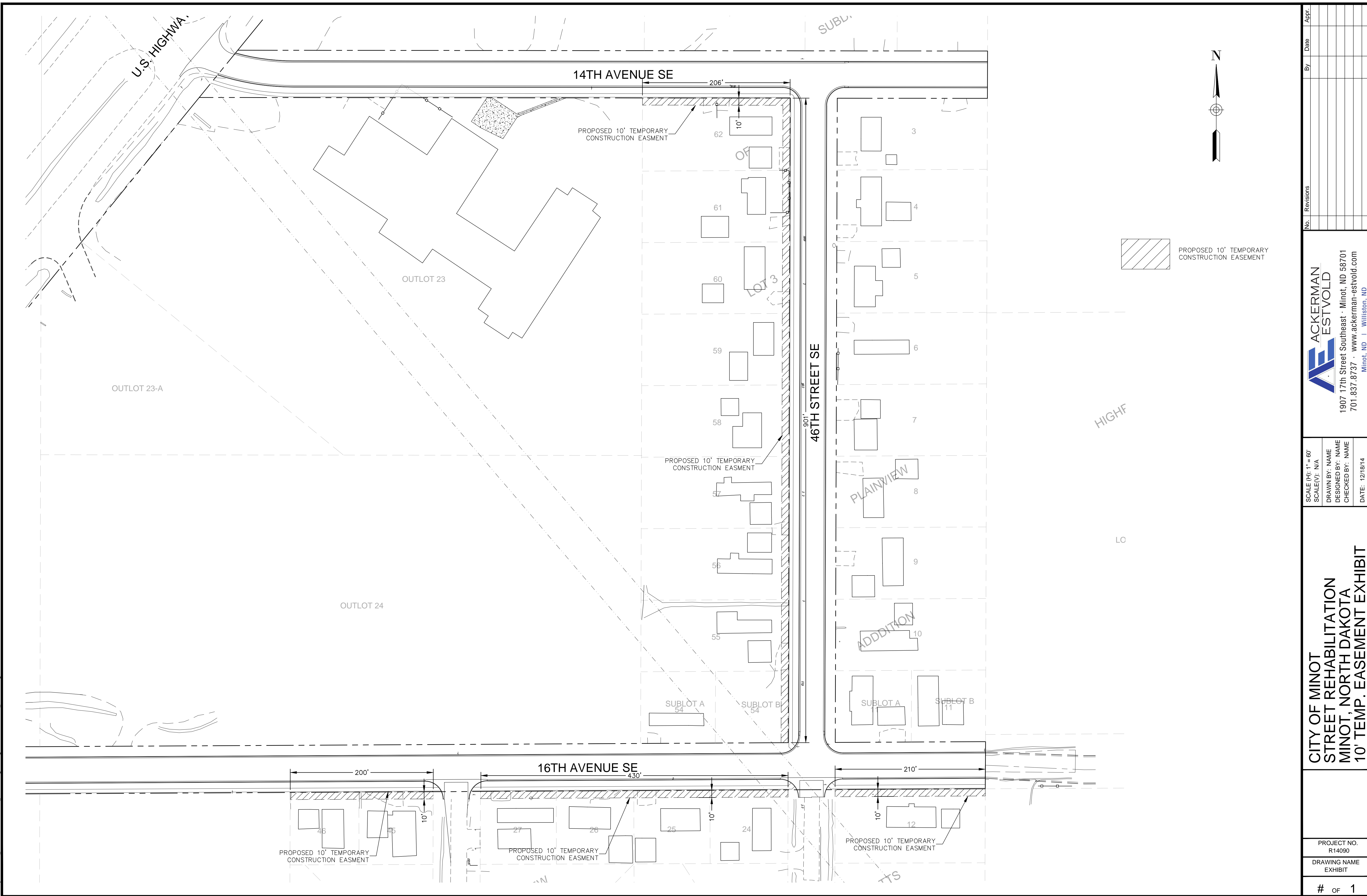
Responsible Entity, Representative's name, title, and organization (printed or typed):

Chuck Barney, Mayor, City of Minot, North Dakota

Responsible Entity, Representative's signature: 

Date: 12-29-14

Thursday, December 18, 2014 8:22:59 AM  
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No.	Revisions	By	Date	Appr.

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SCALE (H): 1" = 60'  
SCALE (V): N/A  
DRAWN BY: NAME  
DESIGNED BY: NAME  
CHECKED BY: NAME  
DATE: 12/18/14

**CITY OF MINOT  
STREET REHABILITATION  
MINOT, NORTH DAKOTA  
10' TEMP. EASEMENT EXHIBIT**

PROJECT NO. R14090
DRAWING NAME EXHIBIT
# OF 1