

U. S. Department of Housing and Urban Development



Community Planning and Development

Region VIII, Denver
1670 Broadway Street
Denver, Colorado 80202-4801

Phone: 303-672-5414
Fax: 303-672-5028
Web: www.hud.gov

October 12, 2012

Honorable Curt Zimbelman, Mayor
City of Minot
Office of the Mayor
P.O. Box 506
Minot, ND 58702-5006

Domestic Violence Crisis Center Infrastructure for a New Facility to be located at 39th Street Southeast and 11th Avenue Southeast, Minot, ND. CDBG-DR Program, Grant #B-12-MT-38-0001

Environmental Clearance to Release Funds

Dear Honorable Zimbelman:

We have received form HUD 7015.15, "*Request for Release of Funds and Certification*", as well as evidence of the publication of the public notice, "*Combined Notice... Release of Funds*", for the subject project/activity. All objections, if received, have been considered and the minimum waiting period for public comment has transpired. You are hereby authorized, effective October 12, 2012, to use funds provided to you under the above HUD Identification Number subject to all terms and conditions of the grant agreement that may be executed for this project/activity. This determination applies only to the project/activity identified above. Any other projects/activities under this grant that may require a Release of Funds must have a separate written release.

Please file this letter for proper record keeping, audit, and inspection purposes. Please ensure any required environmental mitigation is adequately incorporated into all pertinent agreements, for proper implementation. Please inform the recipients that they are agreeing to abide by the special conditions, procedures, and requirements of an environmental review and are to advise the responsible entity of any proposed changes in the scope of the projects or any changes in environmental conditions in accordance with 24 C.F.R. Part 58.71(b).

If we may be of further assistance regarding environmental clearance concerns, please contact David Rigiozzi, Field Environmental Officer, at 303.672.5016.

Sincerely,

A handwritten signature in black ink that reads "Leroy P. Brown". The signature is fluid and cursive, with a large initial "L" and "P".

Leroy P. Brown
Director

Cc: Ms. Cindy Hemphill, CPA, MSM, Finance Director
City of Minot
P.O. Box 5006
Minot, ND 58702

Ms. Deborah Siefert, Disaster Program Manager
City of Minot Disaster Services Office
P.O. Box 5006
Minot, ND 58702

Clark
Rigirozzi

From: (704) 837-5813
 Deborah Siefert
 CDM Smith
 1600 2nd Ave SW #27
 Minot, ND 58701

Origin ID: MOTA



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Delivery Address Bar Code



SHIP TO: (704) 837-5813
David W. Rigiroszi
HUD, Region VIII Office
1670 BROADWAY

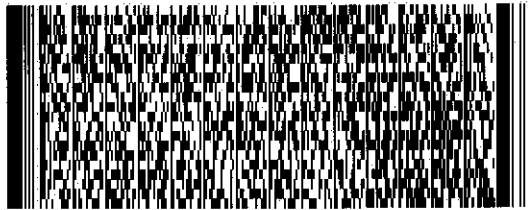
DENVER, CO 80202

BILL SENDER

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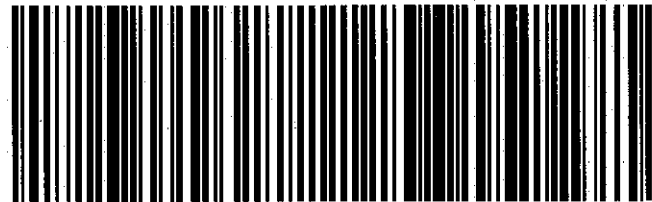
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After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number. Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 3/31/2011)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Community Development Block Grant-Disaster Recovery (CDBG-DR)	2. HUD/State Identification Number B-12-MT-38-0001	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 14.218	5. Name and address of responsible entity City of Minot PO Box 5006 Minot, North Dakota 58702-5006	
6. For information about this request, contact (name & phone number) Cindy Hemphill, CPA, MSM, Finance Director, City of Minot, North Dakota, 701-857-4784	7. Name and address of recipient (if different than responsible entity)	
8. HUD or State Agency and office unit to receive request HUD Region VIII Office 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) City of Minot CDBG-DR Program: Domestic Violence Crisis Center Infrastructure	10. Location (Street address, city, county, State) 39th Street Southeast & 11th Avenue Southeast, Minot, Ward County, North Dakota 58701
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11. Program Activity/Project Description

The City of Minot, North Dakota was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program for 2011 Disasters. In June 2011, the City of Minot suffered substantial real estate and public infrastructure damage due to flood waters from the Mouse River (Souris River). The City's domestic violence shelter lost two of its properties in the disaster. The shelter is planning to rebuild a crisis center on land outside of the disaster area. The property purchased for the new construction needs a paved road that meets the City's requirements for fire and emergency services.

The new domestic violence crisis center will be located at the southeast intersection of 11th Avenue SE and 39th Street SE in Minot, North Dakota. Currently, 39th Street SE terminates from the north at 11th Avenue SE. South of 11th Avenue SE is a dirt path not incorporated into the City or County roadway network. Therefore, the proposed project would involve extending 39th Street SE south of 11th Avenue SE by approximately 700 feet, constructing a corresponding five-foot wide concrete sidewalk, installing nearly 700 feet of water main and nearly 780 feet of sewer pipe. The proposed roadway would be 37 feet wide. The infrastructure will be constructed in compliance with Federal and State requirements.

Total project cost is \$400,939.00 with \$200,000.00 to be funded using CDBG-DR funds.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

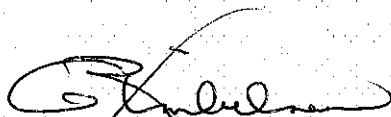
1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

X



Title of Certifying Officer

Mayor, City of Minot

Date signed

09/25/2012

Address of Certifying Officer

City of Minot
P.O. Box 5006,
Minot, North Dakota, 58702-5006

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

X

Title of Authorized Officer

Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

walk, installing nearly 700 feet of water main and nearly 780 feet of sewer pipe. The proposed roadway would be 37 feet wide.

FINDING OF NO SIGNIFICANT IMPACT

The City of Minot has determined that the project will have no significant impact on the human environment. An Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA), therefore, is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of Minot, 515 2nd Avenue SW, Minot, North Dakota, 58702-5006 and may be examined or copied weekdays 9:00 A.M. to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Minot, P.O. Box 5006, Minot, North Dakota, 58702-5006. All comments received by September 24, 2012 will be considered by the City of Minot prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

The City of Minot certifies to HUD Region VIII that Mr. Curt Zimmerman in his capacity as Mayor consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD Region VIII approval of the certification signed by the City of Minot and related laws and ordinances, and allows the City of Minot to use program funds.

OBJECTIONS TO THE RELEASE OF FUNDS

HUD Region VIII will accept objection to its release of funds and the City of Minot's certification for a period of 15 days following the anticipated receipt of the request (which may be later only if they have made one of the following base): (a) the certification was not executed by the Certifying Officer of the City of Minot; (b) the City of Minot has not completed a step or failed to make a decision of finding in accordance with U.S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58; before the approval of a release of funds by HUD Region VIII; or (d) another Federal agency acting pursuant to 40 CFR part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared, and submitted in accordance with the required procedures of 24 CFR Part 58 and shall be addressed to U.S. Department of Housing and Urban Development, Region VIII Office, RADE, 1670 Broadway Street, Denver, Colorado, 80202-4801. Potential objections should contact HUD Region VIII to verify the actual last day of the objection period.

Mr. Curt Zimmerman, Mayor of City of Minot (September 9, 2012)
HUD-ERR Guide # 8
Revised: 09/11 2

PUBLICATION FEES

No. Lines 182

Times ONE \$ 96.46

182 ST LINES x .53 = \$96.46

SHANNON KITZMAN
Notary Public
State of North Dakota
My Commission Expires Dec. 8, 2015

**AFFIDAVIT OF PUBLICATION
STATE OF NORTH DAKOTA**

County of Ward SS.
AMY BOYLE of said

County and State, being first duly sworn, on oath says: That the MINOT DAILY NEWS is a daily newspaper of general circulation, printed and published in the City of Minot, in said County and State. That the MINOT DAILY NEWS now is and during all times in the foregoing affidavit mentioned has been a newspaper qualified to do legal printing, in accordance with the Statutes of the State of North Dakota, and that I am clerk of the MINOT DAILY NEWS and during all such time covering the publication of this notice have occupied such position on said newspaper, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed

**CDBG-DR RELEASE OF FUNDS FOR
DOMESTIC VIOLENCE CRISIS CENTER**

a printed copy of which is herunto attached was printed and published in said newspaper ONE times to-wit:

SEPTEMBER 9, 2012

Amey Boyle, Clerk.
Subscribed and sworn to before me this 12th Day of September 2012
Shannon Kitzman
Notary Public, Ward Co., N.D.

D20682

City of Minot

Finance Department

September 4, 2012

Mr. Jim Luey
Environmental Protection Agency,
Region 8 Wetlands Program
Mail Code 8-EPR-EP
1595 Wynkoop Street
Denver, Colorado 80202-1129

RE: City of Minot, North Dakota, Community Development Block Grant Disaster Recovery Program:
Domestic Violence Crisis Center Infrastructure

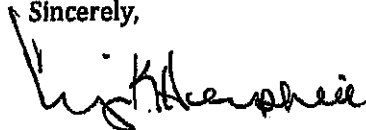
Dear Mr. Luey:

The City of Minot (City), North Dakota was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery program for 2011 Disasters. In June 2011, the City of Minot suffered substantial damage due to flood waters from the Mouse River (Souris River). You are receiving this letter and the enclosed copy of the Combined Notice to the Public of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (RROF) because you may be interested in or are affected by the proposed project. The enclosed notice is to be published in the Minot Daily News on September 9, 2012.

As explained in the notice, the FONSI/RROF is subject to appeal per 24 CFR Part 58.

For additional information regarding this decision, please do not hesitate to contact me at 701-857-4784 or Patrick Davis, CDM Smith, 701-837-6947.

Sincerely,



Cindy K. Hemphill, CPA, MSM
Finance Director
City of Minot, North Dakota

Enclosures

★ The Magic City ★

PO Box 5006 • Minot, North Dakota 58702-5006 • (701) 857-4784 • Fax (701) 857-4782

Website: <http://www.minotnd.org>

**Combined Public Notice
Notice of Finding of No Significant Impact and
Notice of Intent to Request Release of Funds**

September 9, 2012

City of Minot, North Dakota
P.O. Box 5006
Minot, North Dakota, 58702-5006
701-857-4784

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Minot.

REQUEST FOR THE RELEASE OF FUNDS

On or about September 25, 2012, the City of Minot will submit a request to the U.S. Department of Housing and Urban Development (HUD) Region VIII Office for the release of 2011 Community Development Block Grant Disaster Recovery (CDBG-DR) funds, under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as City of Minot CDBG-DR Program: Domestic Violence Crisis Center Infrastructure, for the purpose of providing access and utility services to the planned community crisis center on land outside of the disaster area. The total allocation is \$400,939.00, with CDBG-DR funds totaling \$200,000.00.

The new Domestic Violence Crisis Center will be located at the southeast intersection of 11th Avenue SE and 39th Street SE in Minot, North Dakota. Currently, 39th Street SE terminates from the north at 11th Avenue SE. South of 11th Avenue SE is a dirt path not incorporated into the City or County roadway network. In support of Phase II of the building of the Domestic Violence Crisis Center, the proposed project would involve extending 39th Street SE south of 11th Avenue SE by approximately 700 feet, constructing a corresponding five-foot wide concrete sidewalk, installing nearly 700 feet of water main and nearly 780 feet of sewer pipe. The proposed roadway would be 37 feet wide.

FINDING OF NO SIGNIFICANT IMPACT

The City of Minot has determined that the project will have no significant impact on the human environment. An Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA), therefore, is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of Minot, 515 2nd Avenue SW, Minot, North Dakota, 58702-5006 and may be examined or copied weekdays 9:00 A.M. to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Minot, P.O. Box 5006, Minot, North Dakota, 58702-5006. All comments received by September 24, 2012 will be considered by the City of Minot prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

The City of Minot certifies to HUD Region VIII that Mr. Curt Zimbelman in his capacity as Mayor consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD Region VIII's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Minot to use Program funds.

OBJECTIONS TO THE RELEASE OF FUNDS

HUD Region VIII will accept objections to its release of funds and the City of Minot's certification for a period of 15 days following the anticipated submission date or its actual receipt of the request (whichever

is later) only if they are made on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Minot (b) the City of Minot has omitted a step or failed to make a decision or finding required by U.S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before the approval of a release of funds by HUD Region VIII; or (d) another Federal agency, acting pursuant to 40 CFR part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures of 24 CFR Part 58 and shall be addressed to U.S. Department of Housing and Urban Development, Region VIII Office, 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801. Potential objectors should contact HUD Region VIII to verify the actual last day of the objection period.

Mr. Curt Zimbelman, Mayor, City of Minot

City of Minot

Finance Department

September 4, 2012

L. David Glatt, P.E., Chief
Environmental Health Section
ND Department of Health
918 East Divide Avenue
Bismarck, ND 58501-1947

RE: City of Minot, North Dakota, Community Development Block Grant Disaster Recovery Program:
Domestic Violence Crisis Center Infrastructure

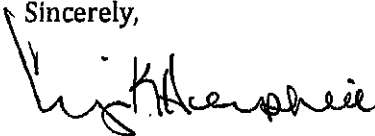
Dear Mr. Glatt:

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As explained in the notice, the FONSI/RROF is subject to appeal per 24 CFR Part 58.

For additional information regarding this decision, please do not hesitate to contact me at 701-857-4784 or Patrick Davis, CDM Smith, 701-837-6947.

Sincerely,



Cindy K. Hemphill, CPA, MSM
Finance Director
City of Minot, North Dakota

Enclosures

★ The Magic City ★

**Combined Public Notice
Notice of Finding of No Significant Impact and
Notice of Intent to Request Release of Funds**

September 9, 2012

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P.O. Box 5006
Minot, North Dakota, 58702-5006
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Mr. Curt Zimbelman, Mayor, City of Minot



NORTH DAKOTA
DEPARTMENT of HEALTH

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



August 13, 2012

Ms. Rebecca Jablon
Environmental Planner
CDM Smith, Inc.
3201 Jermantown Road, Suite 400
Fairfax, VA 22030

Re: Domestic Violence Shelter Infrastructure Project
Minot, Ward County, North Dakota

Dear Ms. Jablon:

This department has reviewed the information concerning the above-referenced project submitted under date of July 24, 2012, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
3. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). 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 storm water management considerations are addressed.

Environmental Health
Section Chief's Office
701.328.5150

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5188

Division of
Water Quality
701.328.5210

Ms. Rebecca Jablon

2.

August 13, 2012

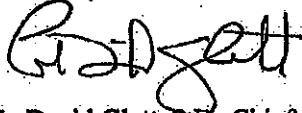
4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.

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

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

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

Sincerely,



L. David Glatt, P.E., Chief
Environmental Health Section

LDG:cc
Attach.



Construction and Environmental Disturbance Requirements

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

Surface Waters

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

Fill Material

Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.



3201 Jermantown Road, Suite 400
Fairfax, Virginia 22030
tel: 703-691-6500
fax: 703-267-8083

CERTIFIED

July 24, 2012

Dave Glatt, Chief
Environmental Health Section
ND Department of Health
918 East Divide Ave.
Bismarck, ND 58501-1947

Dear Mr. Glatt:

The City of Minot (City), North Dakota was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program for 2011 Disasters. In June 2011, the City of Minot suffered substantial damage due to flood waters from the Mouse River (Souris River). The City's domestic violence shelter lost two of its properties in the disaster. In accordance with the use of CDBG-DR funds, the City is the responsible entity for completing federally required environmental review in accordance with 24 CFR Part 58. The City retained CDM Smith to assist with the environmental review of a new roadway associated with the new domestic violence shelter site.

The shelter is planning to rebuild a crisis center on land outside of the disaster area. The property purchased for the new construction needs a paved road that meets the City's requirements for fire and emergency services. The new center will be located at the southeast intersection of 11th Avenue SE and 39th Street SE in Minot, North Dakota. Currently, 39th Street SE terminates from the north at 11th Avenue SE. South of 11th Avenue SE is a dirt path not incorporated into the City or County roadway network. In support of Phase II of the building of the Domestic Violence Crisis Center, the proposed project would involve extending 39th Street SE south of 11th Avenue SE by approximately 700 feet, constructing a corresponding five-foot wide concrete sidewalk, installing nearly 700 feet of watermain and nearly 780 feet of sewer pipe. The proposed roadway would be 37 feet wide.

CDM Smith seeks comments from the North Dakota Department of Health concerning the potential air quality, water quality and waste impacts from the proposed project. The enclosed figures identify the proposed project location.



Mr. Dave Glatt
July 24, 2012
Page 2

We would appreciate hearing from you; if no response is received within 30 calendar days, the City of Minot will make the determination that the proposed activities will not affect this area of regulatory compliance. If there is anything else I can provide to your office, please do not hesitate to contact me at 703-691-6485 or jablonrs@cdmsmith.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Jablon".

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

Enclosures

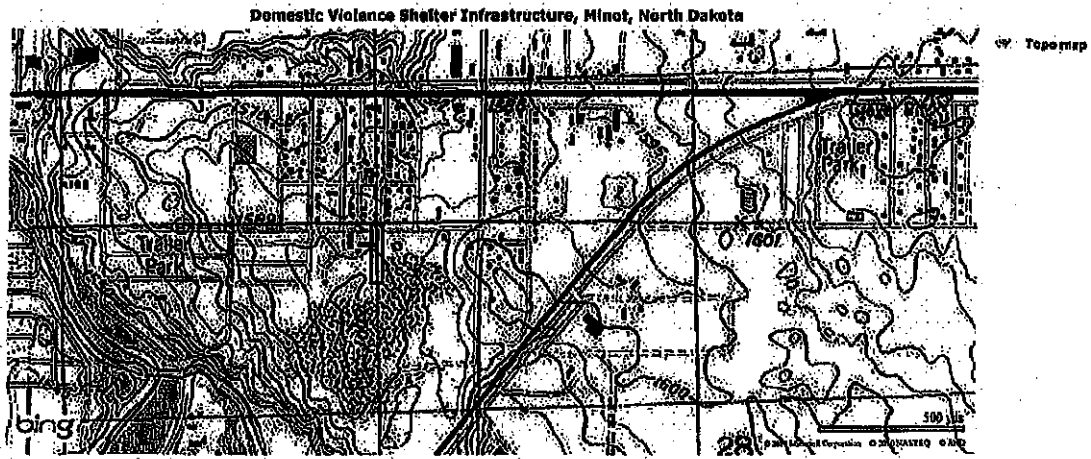


Source: Google Earth Pro®
Imagery Date: July 27, 2011



LEGEND
— Proposed Project Site

DOMESTIC VIOLENCE SHELTER INFRASTRUCTURE MINOT, NORTH DAKOTA



City of Minot

Finance Department

September 4, 2012

Mr. Merlan E. Paaverud, Jr.
Attn: Review and Compliance
North Dakota Historic Preservation Office
612 E. Boulevard Avenue
Bismarck, ND 58505-0830

RE: City of Minot, North Dakota, Community Development Block Grant Disaster Recovery Program:
Domestic Violence Crisis Center Infrastructure (ND SHPO Ref.:12-6346)

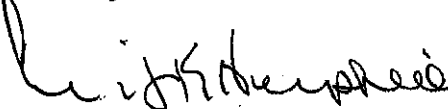
Dear Mr. Paaverud:

The City of Minot (City), North Dakota was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery program for 2011 Disasters. In June 2011, the City of Minot suffered substantial damage due to flood waters from the Mouse River (Souris River). You are receiving this letter and the enclosed copy of the Combined Notice to the Public of Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (RROF) because you may be further interested in or are affected by the proposed project. The enclosed notice is to be published in the Minot Daily News on September 9, 2012. Previous correspondence with your office regarding this project is enclosed as well.

As explained in the notice, the FONSI/RROF is subject to appeal per 24 CFR Part 58.

For additional information regarding this decision, please do not hesitate to contact me at 701-857-4784 or Patrick Davis, CDM Smith, 701-837-6947.

Sincerely,



Cindy K. Hemphill, CPA, MSM
Finance Director
City of Minot, North Dakota

Enclosures

★ The Magic City ★

**Combined Public Notice
Notice of Finding of No Significant Impact and
Notice of Intent to Request Release of Funds**

September 9, 2012

City of Minot, North Dakota
P.O. Box 5006
Minot, North Dakota, 58702-5006
701-857-4784

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Minot.

REQUEST FOR THE RELEASE OF FUNDS

On or about September 25, 2012, the City of Minot will submit a request to the U.S. Department of Housing and Urban Development (HUD) Region VIII Office for the release of 2011 Community Development Block Grant Disaster Recovery (CDBG-DR) funds, under Title I of the Housing and Community Development Act of 1974, as amended, to undertake a project known as City of Minot CDBG-DR Program: Domestic Violence Crisis Center Infrastructure, for the purpose of providing access and utility services to the planned community crisis center on land outside of the disaster area. The total allocation is \$400,939.00, with CDBG-DR funds totaling \$200,000.00.

The new Domestic Violence Crisis Center will be located at the southeast intersection of 11th Avenue SE and 39th Street SE in Minot, North Dakota. Currently, 39th Street SE terminates from the north at 11th Avenue SE. South of 11th Avenue SE is a dirt path not incorporated into the City or County roadway network. In support of Phase II of the building of the Domestic Violence Crisis Center, the proposed project would involve extending 39th Street SE south of 11th Avenue SE by approximately 700 feet, constructing a corresponding five-foot wide concrete sidewalk, installing nearly 700 feet of water main and nearly 780 feet of sewer pipe. The proposed roadway would be 37 feet wide.

FINDING OF NO SIGNIFICANT IMPACT

The City of Minot has determined that the project will have no significant impact on the human environment. An Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA), therefore, is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of Minot, 515 2nd Avenue SW, Minot, North Dakota, 58702-5006 and may be examined or copied weekdays 9:00 A.M. to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to the City of Minot, P.O. Box 5006, Minot, North Dakota, 58702-5006. All comments received by September 24, 2012 will be considered by the City of Minot prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

The City of Minot certifies to HUD Region VIII that Mr. Curt Zimbelman in his capacity as Mayor consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD Region VIII's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Minot to use Program funds.

OBJECTIONS TO THE RELEASE OF FUNDS

HUD Region VIII will accept objections to its release of funds and the City of Minot's certification for a period of 15 days following the anticipated submission date or its actual receipt of the request (whichever

is later) only if they are made on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Minot (b) the City of Minot has omitted a step or failed to make a decision or finding required by U.S. Department of Housing and Urban Development regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before the approval of a release of funds by HUD Region VIII; or (d) another Federal agency, acting pursuant to 40 CFR part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures of 24 CFR Part 58 and shall be addressed to U.S. Department of Housing and Urban Development, Region VIII Office, 8ADE, 1670 Broadway Street, Denver, Colorado 80202-4801. Potential objectors should contact HUD Region VIII to verify the actual last day of the objection period.

Mr. Curt Zimbelman, Mayor, City of Minot



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

Jack Dalrymple
Governor of North Dakota

North Dakota
State Historical Board

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Parks and Recreation
Department

Francis Ziegler
Director
Department of Transportation

Merlan E. Paaverud, Jr.
Director

Accredited by the
American Association
of Museums since 1989

August 2, 2012

Ms Rebecca Jablon, AICP, LEED AP
Environmental Planner
CDM Smith
3201 Jermantown Road, Suite 400
Fairfax, VA 22030

ND SHPO Ref.:12-6346, CDBG-DR Funding for new domestic violence center, intersection of 11th Ave SE & 39th St SE, Minot, Ward County, North Dakota

Dear Ms. Jablon,

We reviewed ND SHPO Ref.:12-6346, CDBG-DR Funding for new domestic violence center, intersection of 11th Ave SE & 39th St SE, Minot, Ward County, North Dakota and if consulted by a Federal Agency we would concur with a "No Historic Properties Affected" determination provided the project is of the nature specified, and is restricted to the specific areas described in the correspondence dated July 24, 2012.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Planner at (701) 328-3577 or lsteckler@nd.gov

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer
(North Dakota)

and
Director
State Historical Society of North Dakota



3201 Jermantown Road, Suite 400
Fairfax, Virginia 22030
tel: 703-691-6500
fax: 703-267-6083

CERTIFIED

July 24, 2012

Mr. Merlan E. Paaverud, Jr.
Attn: Review and Compliance
North Dakota Historic Preservation Office
612 E. Boulevard Ave.
Bismarck, ND 58505-0830

Dear Mr. Paaverud:

The City of Minot (City), North Dakota was included in the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program for 2011 Disasters. In June 2011, the City of Minot suffered substantial damage due to flood waters from the Mouse River (Souris River). The City's domestic violence shelter lost two of its properties in the disaster. In accordance with the use of CDBG-DR funds, the City is the responsible entity for completing federally required environmental review in accordance with 24 CFR Part 58. The City retained CDM Smith to assist with the environmental review of a new roadway associated with the new domestic violence shelter site.

The shelter is planning to rebuild a crisis center on land outside of the disaster area. The property purchased for the new construction needs a paved road that meets the City's requirements for fire and emergency services. The new center will be located at the southeast intersection of 11th Avenue SE and 39th Street SE in Minot, North Dakota. Currently, 39th Street SE terminates from the north at 11th Avenue SE. South of 11th Avenue SE is a dirt path not incorporated into the City or County roadway network. In support of Phase II of the building of the Domestic Violence Crisis Center, the proposed project would involve extending 39th Street SE south of 11th Avenue SE by approximately 700 feet, constructing a corresponding five-foot wide concrete sidewalk, installing nearly 700 feet of watermain and nearly 780 feet of sewer pipe. The proposed roadway would be 37 feet wide.

CDM Smith seeks comments from the North Dakota Historic Preservation Office concerning the potential impact to historic resources from the proposed project. The enclosed figures identify the proposed project location.



Mr. Merlan E. Paaverud, Jr.

July 24, 2012

Page 2

We would appreciate hearing from you; if no response is received within 30 calendar days, the City of Minot will make the determination that the proposed activities will not affect this area of regulatory compliance. If there is anything else I can provide to your office, please do not hesitate to contact me at 703-691-6485 or jablons@cdmsmith.com.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Jablon".

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

Enclosures



Source: Google Earth Pro®
Imagery Date: July 27, 2011

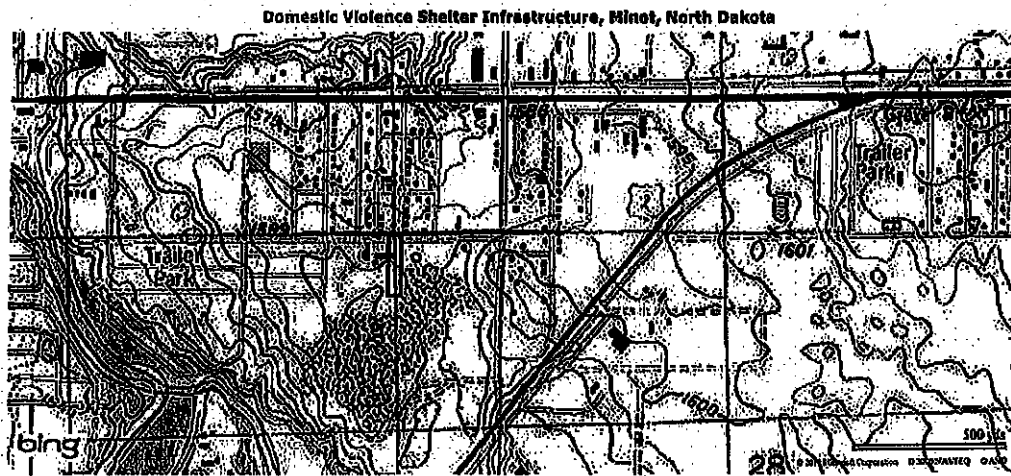


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LEGEND
— Proposed Project Site

DOMESTIC VIOLENCE SHELTER INFRASTRUCTURE MINOT, NORTH DAKOTA



Topo map

□ Proposed Project Location