

Memorandum: Re-evaluation of Environmental Finding

To: Project File

From: Rebecca Jablon, AICP, LEED AP
CDM Smith

Date: January 30, 2014

Subject: City of Minot CDBG-DR Program
Cook's Court Senior Housing Project
New Environmental Conditions

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 Cook's Court Senior Housing Project received Environmental Clearance to Release Funds on January 30, 2014. However, soil testing was completed at the proposed project site, which found the soil is not geotechnically suitable for construction. As a result, approximately 13,000 yards of fill would need to be removed and replaced with nearly 17,000 yards of gravel or piers would need to be placed for the foundation.

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;
- There are new circumstances or environmental conditions that have arisen during project implementation; and

Due to the new environmental conditions that have arisen, 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).

- 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

Cook's Court Senior Housing Project

Revised Project Total Development Cost (provide best estimate): \$7,812,000

Project HUD Assistance: \$1,206,000

Revised Estimated Project Total Development Cost: \$7,812,000

Description of the Activities not Included in the Original Proposed Action:

Testing found the soil located at the proposed project site to be geotechnically unsuitable for construction. Therefore, the proposed Cook's Court Senior Housing Project would also involve replacing approximately 13,000 yards of fill with nearly 17,000 yards of gravel or installing foundational piers.

Re-evaluation Analysis

As a result of the new environmental conditions, the following resource areas were re-evaluated:

Air Quality

Air quality impacts during construction activities may be greater than previously anticipated; however, such impacts will be temporary in nature and will be alleviated as much as possible through the use of Best Management Practices (BMPs) and mitigation measures as described in the Environmental Assessment (EA). Thus, significant or long-term air quality impacts are not anticipated.

Noise Abatement & Control

Construction noise may be greater than previously anticipated; however, construction noise shall remain a short-term impact that will be controlled to the greatest extent feasible through the use of BMPs and mitigation measures as described in the EA. As a result, significant or long-term noise impacts are not anticipated.

Slope

The proposed replacement of existing fill or construction of foundational piers would not create steep slopes; such construction measures are proposed in order to improve the stability and suitability of the project site.

Soil Suitability

As demonstrated in the EA, the proposed project site is located within two soil map units: Urban land-Udorthents, loamy complex; and Urban land. Testing of the existing soil has revealed that it is not geotechnically suitable for construction. As a result, in order to construct the proposed project, nearly 13,000 yards of fill would need to be replaced with almost 17,000 yards of gravel, or foundational piers would need to be installed.

Urban land soil units characterize ground material that has already been disturbed by the surrounding built environment. Therefore, replacing the existing soil or installing piers is not anticipated to have a negative impact on the soil of the area.

The North Dakota Department of Health stated in a response dated November 21, 2013 (Appendix G of the EA) that “fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds.” In addition, “all temporary fills must be removed.” These prescribed measures will be followed.

Solid Waste

Solid waste generated during the construction phase would be greater than previously anticipated. Testing found the soil located at the proposed project site to be geotechnically unsuitable for construction, but did not find any soil contamination. Therefore, the solid waste generated by the proposed project is not anticipated to include hazardous materials and is considered an acceptable material to the City’s municipal solid waste (MSW) landfill.

The soil will be hauled off-site to the City MSW landfill. The landfill is currently undergoing an expansion, and as a result will be able to handle the waste projected to occur during construction of the proposed project.

If, during construction, hazardous materials are found, they will be disposed of to a suitable location in accordance with the state’s solid and hazardous waste rules.

Transportation

Construction traffic may be greater than previously anticipated. The contractor should work to ensure that traffic flow on the local roadways is not impeded significantly during construction and should work with the City to delineate construction haul routes.

Summary of Findings & Conclusions

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 applied 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.

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: Rebecca Jablon

Date: January 30, 2014

Responsible Entity, Representative's Information/Certification:

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

Curt Zimbelman, Mayor, City of Minot, North Dakota

Responsible Entity, Representative's signature: Curt Zimbelman

Date: January 30, 2014