

# 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](http://www.hud.gov)

April 16, 2014

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

City of Minot CDBG-DR Program: Fire Station and Apparatus Project (Acquisition and New Construction), Southeast Corner of 55<sup>th</sup> Street SE and Sage Drive, 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 Public 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 April 16, 2014, 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 Rigirozzi, Field Environmental Officer, at 303.672.5016.

Sincerely,

A handwritten signature in black ink, reading "LeRoy P. Brown". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

LeRoy P. Brown  
Director

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

CDM Smith  
Attn: Ms. Rebecca Jablon  
3201 Jermantown Road, Suite 400  
Fairfax, VA 22030

Padgett  
Rigirozzi



# 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. 10/31/2014)

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>B-12-MT-38-0001</b>	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: Fire Station and Apparatus Project	10. Location (Street address, city, county, State) Southeast corner of 55th Street SE and Sage Drive, Minot, Ward County, North Dakota
---	--

### 11. Program Activity/Project Description

The City of Minot, North Dakota was included in the 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).

Due to the extensive displacement of residents as a result of the June 2011 flood, new development is needed outside of the flood area. The proposed Fire Station and Apparatus Project would serve to support future development in the southeast section of Minot, including the mixed-use 55th Crossing West Housing Project and a proposed middle school and high school, potentially to be sited north of the proposed fire station.

The proposed Fire Station and Apparatus Project would involve the acquisition of a currently vacant, approximately 42,850 square-foot lot located at the southeast corner of 55th Street SE and Sage Drive and the construction of a one-story 15,400 square-foot fire station. The station will provide 24-hour year-round service, and will therefore include living quarters: a kitchen, day room, restrooms, bedrooms and laundry facilities. The station will also include office space, a community/training room, exercise room, a decontamination room and four vehicle bays, which will be equipped with a Plymovent vehicle exhaust extraction system. The station will be built to meet ADA compliance standards. Water, sewer, gas (317 gross output MBH natural gas boilers) and electric utilities and phone and internet communication lines will be extended to the site. A 14 KW backup generator system will be installed. The facility would also include a ramp and parking area.

The proposed project would be in support of the mixed-use 55th Crossing West Housing Project currently in development, as well as a proposed middle school and high school, potentially to be sited north of the proposed fire station. The proposed project is associated with the CDBG-DR funded 55th Crossing West Housing Infrastructure Project and Northern Sanitary Sewer Project, which involve the improvement and extension of municipal utilities along and adjacent to 55th Street SE.

Total project cost is \$3,200,000, with \$3,200,000 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. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. 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.
5. 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.
6. 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.
7. 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:

8. 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.
9. 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

Title of Certifying Officer

Mayor, City of Minot

Date signed

03/31/2014

X   
Address of Certifying Officer

City of Minot, PO 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

Title of Authorized Officer

Date signed

X

**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)



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

March 13, 2014

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 March 31, 2014, 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: Fire Station and Apparatus Project, for the purpose of assisting the City of Minot in supporting development outside of the flood area, for a total allocation of \$3,200,000.00 with CDBG-DR funds totaling \$3,200,000.00.

The proposed Fire Station and Apparatus Project would involve the acquisition of a currently vacant, approximately 42,850 square-foot lot located at the southeast corner of 55th Street SE and Sage Drive and the construction of a one-story 15,400 square-foot fire station. The station will provide 24-hour year-round service, and will therefore include living quarters: a kitchen, day room, restrooms, bedrooms and laundry facilities. The station will also include office space, a community/training room, exercise room, a decontamination room and four vehicle bays, which will be equipped with a Plymovent vehicle exhaust extraction system. The station will be built to meet ADA compliance standards. Water, sewer, gas (317 gross output MBH natural gas boilers) and electric utilities and phone and internet communication lines will be extended to the site. A 14 KW backup generator system will be installed. The facility would also include a ramp and parking area.

The proposed project would be in support of the mixed-use 55th Crossing West Housing Project currently in development, as well as a proposed middle school and high school, potentially to be sited north of the proposed fire station. The proposed project is associated with the CDBG-DR funded 55th Crossing West Housing Infrastructure Project and Northern Sanitary Sewer Project, which involve the improvement and extension of municipal utilities along and adjacent to 55th Street SE.

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 March 28, 2014 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 consider 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 the HUD Region VIII office to verify the actual last day of the objection period.

Mr. Curt Zimbelman, Mayor, City  
of Minot  
(March 13, 2014)



**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



April 2, 2014

Ms. Cindy Hemphill  
Finance Director  
City Of Minot  
P.O. Box 5006  
Minot, ND 58702-5006

Re: City of Minot CDBG-DR Program: Fire Station & Apparatus Project  
Combined Public Notice of FONSI and RROF  
Ward County, North Dakota

Dear Ms. Hemphill:

This department has reviewed the information concerning the above-referenced project submitted under date of March 10, 2014, 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, our comments remain the same as those in our February 11, 2014 letter to Ms. Melissa Peters of CDM Smith (copy included with your letter).

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

# City of Minot

Finance Department

March 10, 2014

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:  
Fire Station and Apparatus Project

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 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 March 13, 2014. 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 Randall Irwin, CDM Smith, 701-837-5813.

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**

March 13, 2014

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 March 31, 2014, 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: Fire Station and Apparatus Project, for the purpose of assisting the City of Minot in supporting development outside of the flood area, for a total allocation of \$3,200,000.00 with CDBG-DR funds totaling \$3,200,000.00.

The proposed Fire Station and Apparatus Project would involve the acquisition of a currently vacant, approximately 42,850 square-foot lot located at the southeast corner of 55th Street SE and Sage Drive and the construction of a one-story 15,400 square-foot fire station. The station will provide 24-hour year-round service, and will therefore include living quarters: a kitchen, day room, restrooms, bedrooms and laundry facilities. The station will also include office space, a community/training room, exercise room, a decontamination room and four vehicle bays, which will be equipped with a Plymovent vehicle exhaust extraction system. The station will be built to meet ADA compliance standards. Water, sewer, gas (317 gross output MBH natural gas boilers) and electric utilities and phone and internet communication lines will be extended to the site. A 14 KW backup generator system will be installed. The facility would also include a ramp and parking area.

The proposed project would be in support of the mixed-use 55th Crossing West Housing Project currently in development, as well as a proposed middle school and high school, potentially to be sited north of the proposed fire station. The proposed project is associated with the CDBG-DR funded 55th Crossing West Housing Infrastructure Project and Northern Sanitary Sewer Project, which involve the improvement and extension of municipal utilities along and adjacent to 55th Street SE.

**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 March 28, 2014 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 consider 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 the HUD Region VIII office to verify the actual last day of the objection period.

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



February 11, 2014

Ms. Melissa Peters, AICP  
Environmental Planner  
CDM Smith  
125 S. Wacker Drive, Suite 600  
Chicago, IL 60606

Re: City of Minot CDBG-DR Program: Fire Station & Apparatus Project  
Ward County, North Dakota

Dear Ms. Peters:

This department has reviewed the information concerning the above-referenced project submitted under date of January 22, 2014, 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. Projects disturbing less than one acre are required to have a permit if the site is part of a larger common plan of development or sale and the larger common plan will ultimately disturb one or more acres. A permit is not needed for projects that disturb less than one acre if they are located one-quarter of a mile or more apart and the area between the projects is not being disturbed. 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. In addition, the City of Minot is required to consider and address post-construction storm water

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  
701.328.5166

Division of  
Water Quality  
701.328.5210



quality as part of its NDPDES Small Municipal Separate Storm Sewer System (MS4) General Permit obligations. Check with the local officials to be sure any local storm water management considerations are addressed.

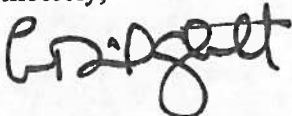
4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction 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.





125 S. Wacker Drive, Suite 600  
Chicago, Illinois 60606  
tel: 312 346-5000  
fax: 312 346-5228

CERTIFIED

January 22, 2014

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

RE: City of Minot CDBG-DR Program: Fire Station and Apparatus Project

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). 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 the proposed Fire Station and Apparatus Project. Due to the extensive displacement of residents as a result of the June 2011 flood, new development is needed outside of the flood area. The proposed project would serve to support future development in the southeast section of Minot, including the mixed-use 55<sup>th</sup> Crossing West Housing Project and a proposed middle school and high school.

The proposed Fire Station and Apparatus Project would involve the acquisition of a currently vacant, approximately 42,850 square-foot, lot located at the southeast corner of 55<sup>th</sup> Street SE and Sage Drive and the construction of a one-story 15,400 square-foot fire station. The station will provide 24-hour year-round service, and will therefore include living quarters: a kitchen, day room, restrooms, bedrooms and laundry facilities. The station will also include office space, a community/training room, exercise room, a decontamination room and four vehicle bays, which will be equipped with a Plymovent vehicle exhaust extraction system. The station will be built to meet ADA compliance standards. Water, sewer, gas (natural gas boilers) and electric utilities and phone and internet communication lines will be extended to the site. A backup generator system will be installed. The facility would also include a ramp and parking area.

The proposed project would be in support of the mixed-use 55<sup>th</sup> Crossing West Housing Project currently in development, as well as a proposed middle school and high school, potentially to be sited north of the





L. David Glatt, P.E  
January 22, 2014  
Page 2

proposed fire station. The proposed project is associated with the CDBG-DR funded 55<sup>th</sup> Crossing West Housing Infrastructure Project and Northern Sanitary Sewer Project, which involve the improvement and extension of municipal utilities along and adjacent to 55<sup>th</sup> Street SE.

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

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 312-780-7760 or [petersme@cdmsmith.com](mailto:petersme@cdmsmith.com).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melissa Peters', written in a cursive style.

Melissa Peters, AICP  
Environmental Planner  
CDM Smith

Enclosure





# City of Minot

Finance Department

March 10, 2014

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:  
Fire Station and Apparatus Project (ND SHPO Ref: 14-5305)

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 interested in or are affected by the proposed project. The enclosed notice is to be published in the *Minot Daily News* on March 13, 2014.

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 Randall Irwin, CDM Smith, 701-837-5813.

Sincerely,



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

Enclosure

★ The Magic City ★



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

March 13, 2014

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 March 31, 2014, 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: Fire Station and Apparatus Project, for the purpose of assisting the City of Minot in supporting development outside of the flood area, for a total allocation of \$3,200,000.00 with CDBG-DR funds totaling \$3,200,000.00.

The proposed Fire Station and Apparatus Project would involve the acquisition of a currently vacant, approximately 42,850 square-foot lot located at the southeast corner of 55th Street SE and Sage Drive and the construction of a one-story 15,400 square-foot fire station. The station will provide 24-hour year-round service, and will therefore include living quarters: a kitchen, day room, restrooms, bedrooms and laundry facilities. The station will also include office space, a community/training room, exercise room, a decontamination room and four vehicle bays, which will be equipped with a Plymovent vehicle exhaust extraction system. The station will be built to meet ADA compliance standards. Water, sewer, gas (317 gross output MBH natural gas boilers) and electric utilities and phone and internet communication lines will be extended to the site. A 14 KW backup generator system will be installed. The facility would also include a ramp and parking area.

The proposed project would be in support of the mixed-use 55th Crossing West Housing Project currently in development, as well as a proposed middle school and high school, potentially to be sited north of the proposed fire station. The proposed project is associated with the CDBG-DR funded 55th Crossing West Housing Infrastructure Project and Northern Sanitary Sewer Project, which involve the improvement and extension of municipal utilities along and adjacent to 55th Street SE.

**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 March 28, 2014 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 consider 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 the HUD Region VIII office to verify the actual last day of the objection period.

Mr. Curt Zimbelman, Mayor, City of Minot



# City of Minot

Finance Department

March 10, 2014

Mr. Brent Truskowski  
Aquatic Resource Protection and Accountability Unit  
8EPR-EP  
Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

RE: City of Minot, North Dakota, Community Development Block Grant Disaster Recovery Program:  
Fire Station and Apparatus Project

Dear Mr. Truskowski:

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 March 13, 2014.

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 Randall Irwin, CDM Smith, 701-837-5813.

Sincerely,



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

Enclosure

★ The Magic City ★



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

March 13, 2014

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 March 31, 2014, 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: Fire Station and Apparatus Project, for the purpose of assisting the City of Minot in supporting development outside of the flood area, for a total allocation of \$3,200,000.00 with CDBG-DR funds totaling \$3,200,000.00.

The proposed Fire Station and Apparatus Project would involve the acquisition of a currently vacant, approximately 42,850 square-foot lot located at the southeast corner of 55th Street SE and Sage Drive and the construction of a one-story 15,400 square-foot fire station. The station will provide 24-hour year-round service, and will therefore include living quarters: a kitchen, day room, restrooms, bedrooms and laundry facilities. The station will also include office space, a community/training room, exercise room, a decontamination room and four vehicle bays, which will be equipped with a Plymovent vehicle exhaust extraction system. The station will be built to meet ADA compliance standards. Water, sewer, gas (317 gross output MBH natural gas boilers) and electric utilities and phone and internet communication lines will be extended to the site. A 14 KW backup generator system will be installed. The facility would also include a ramp and parking area.

The proposed project would be in support of the mixed-use 55th Crossing West Housing Project currently in development, as well as a proposed middle school and high school, potentially to be sited north of the proposed fire station. The proposed project is associated with the CDBG-DR funded 55th Crossing West Housing Infrastructure Project and Northern Sanitary Sewer Project, which involve the improvement and extension of municipal utilities along and adjacent to 55th Street SE.

**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 March 28, 2014 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 consider 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 the HUD Region VIII office to verify the actual last day of the objection period.

Mr. Curt Zimbelman, Mayor, City of Minot