

November 27, 2018

Ms. Jessica Ackerman, Managing Member
AKSAL GROUP, LLC
1907 17th St SE
Minot, ND 58701

Dear Jessica:

Thank you for your comments regarding the Downtown Gathering Place Finding of No Significant Impact (FONSI). The following are the responses to your three comments:

Comment #3 - The Downtown Gathering Place footprint should include the vacation of 1st Avenue SE between 2nd Street SE and 3rd Street SE

Response: After HUD approved the city of Minot's CDBG-NDR Action Plan, it became clear that the two acres of green space owned by the School District would not fit the standards and requirements to meet HUD expectations of the Gathering Place. Specifically, it would not be an unrestricted public area owned by the city. Therefore, in terms of meeting the requirements and standards for the Gathering Place as a HUD CDBG-NDR project, there is no value or purpose in vacating 1st Avenue SE between 2nd Street SE and 3rd Street SE to connect the proposed site of the Gathering Place to these two acres owned by the Public School District. Indeed, to include vacating this street would complicate justifying the Gathering Place as a qualified CDBG-NDR project.

Should the city on its own volition choose to vacate this street, this can be done without an adverse effect on this FONSI or the CDBG-NDR public infrastructure project. Indeed, if the city made an arrangement with the School District for periods of use of the two acres to enhance opportunities for public gathering activities, this, too, would not in any way impact or effect the CDBG-NDR project.

Comment #2 - The site definition and area calculation are inaccurate

Response: We have become aware of the possibility of discrepancy between city records and properties owned by both rail lines serving the city. In regards to the actual square footage of the property owned by Canadian Pacific within the Gathering Place foot print, we will add a note to file that the actual metes and bounds of the properties to be acquired will be determined by a title search before acquisition. Since property in question as well as the vacating of the city street were taken into consideration during the environmental assessment process, and there is no added question of ownership or property addresses that would trigger the need for additional environmental assessment, there is no need for any change, beyond this note to file.

Comment #1 - The scope of the environmental assessment review was too narrow

Response: The question you raise regarding the State Historical Preservation Officer (SHPO) was addressed at the time of our original submission for this environmental assessment. Whenever a proposed project is located within a historic district, it is standard procedure for SHPO to take into account the proposed project's potential impacts on the character and integrity of the historic district as a whole. Thus, as part of their determination for the Downtown Gathering Place, SHPO considered the potential impacts of demolition on the aesthetics of the remaining properties within the Minot Industrial Historic District. The SHPO determination of no impact and release of the city to be able to take whatever action it deems necessary for the properties to be acquired reflects no aesthetic impact.



City of Minot

With regards to the parcel located at 11 1st Street SE, the concerns you raise regarding structural and access integrity should we proceed with only acquiring the property identified as 109 1st Avenue SE do warrant consideration. The options would be to proceed as is and during the acquisition process determine through an engineering assessment if it is feasible to acquire the one property without the other, and if deemed not practical then do a re-evaluation of the environmental assessment. The other option would be to include the parcel at the address at 11 1st Street SE in this environmental assessment as a parcel to be acquired. The foremost factor for this site for the Gathering Place is having sufficient funds available to provide a public park facility as expected by HUD through the description the city included in the original approved CDBG-NDR Action Plan. It appears that the most prudent step is to add 11 1st Street SE to this environmental assessment and then republish the FONSI and Notice of Intent to Request Release of Funds. Once the release of funds is approved by HUD, we can proceed with the cost determinations and mandated cost/benefit analysis.

Again, thank you for your input. We will now as expeditiously as possible take the HUD required steps to amend the environmental assessment to include 11 1st Street SE, republish the FONSI and submit it to HUD.

Sincerely,



John R. Zakian, CEcD

Disaster Resilience Grant Program Manager & Chief Resilience Officer

