



Facility Plan

Water Main and Lead Service Line Replacement - Phase II

City of Dickinson, ND



DRAFT

Facility Plan

Water Main and Lead Service Line Replacement – Phase II

City of Dickinson, ND

Apex Project Number 24.107.0026

Certification

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of North Dakota.

Signature

Scott M. Schneider
Typed or Printed Name

Date

PE-5347
License Number

March 2025

Apex Engineering Group, Inc.
204 Sims St – Suite 201
Dickinson, ND 58601

DRAFT

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1.0 Introduction

In 2024 the City of Dickinson and Apex Engineering Group entered into an agreement to study the City's future water distribution system improvements in the area north of Villard Street and west of 3rd Avenue West. The goal for this project was to assess the performance of the existing system and to plan the capital improvements required to meet current and future demands. This Facility Plan will develop a Water Main and Lead Service Line Replacement Plan – Phase II for a study area within the City that has experienced considerable watermain breaks the last several years and has a high concentration of lead service lines.

2.0 Background and Problem Definition

The City of Dickinson receives its water supply from the Southwest Water Authority (SWA). The SWA serves the southwestern region of North Dakota. Potable water is distributed in Dickinson via six City pumps located at the Dickinson Water Treatment Facility operated by the SWA. The distribution system in the municipal boundary for the City of Dickinson contains approximately 166 miles of water main, as determined by a GIS data summary.

2.1 Water Distribution System Background

The distribution system within the municipal boundary is comprised mostly of PVC pipe (60 percent), followed by Asbestos Cement (28 percent) and Cast Iron (12 percent). Like many utilities throughout the region and nationally, aging water distribution systems are becoming a challenge. As such, thoughtful and proactive capital planning is critical to maintain desired levels of service and ensure service reliability.

2.2 Problem Definition

Since 2017, the City of Dickinson has been experiencing more water main breaks and service line failures in the system compared to the annual average. The Cast Iron in the City of Dickinson has exceeded the designed useful life. With small amounts of installation data, it is assumed that most CIP in Dickinson was installed prior to 1970 with some areas being installed in the 1930's making the risk of watermain breaks in these areas significantly higher.

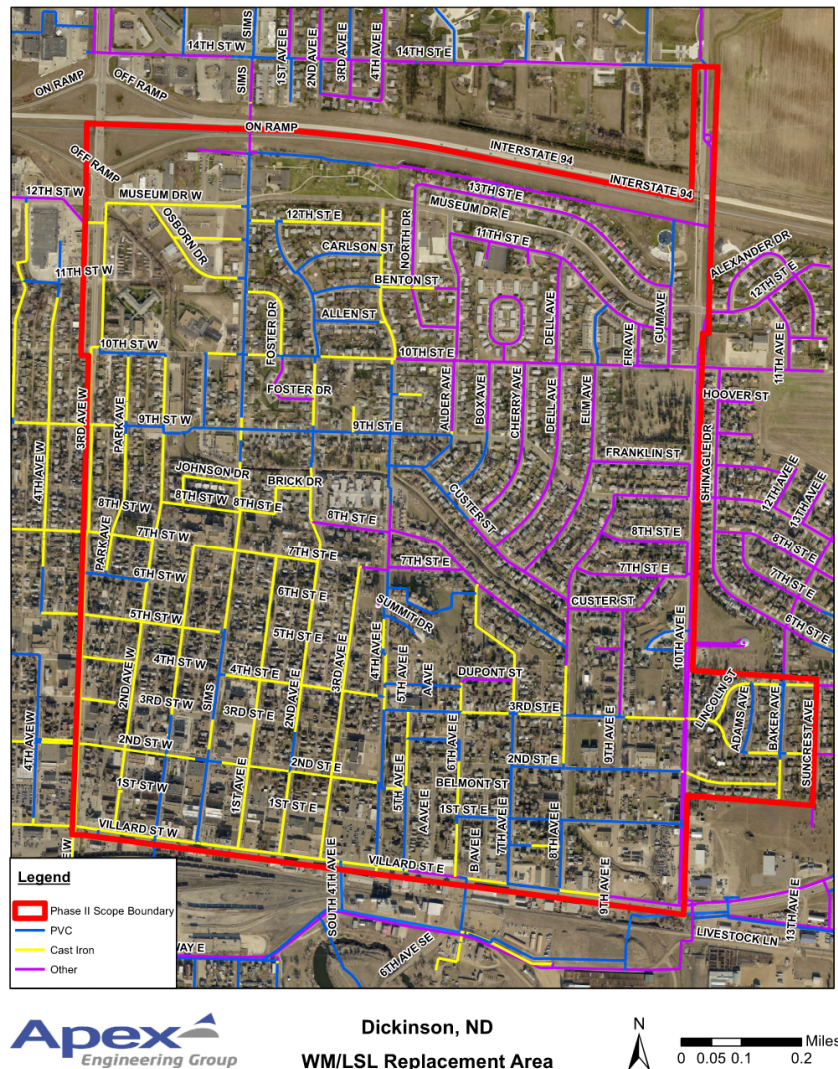
The average water main and service line repair count is 12.3 breaks per year per 100 miles in the period of (2017-2022). Throughout the same period for the whole city, water main breaks averaged 3.9 breaks per year, which compares favorably to the national average of 28.8 breaks per 100 miles of pipeline per year for utility sizes less than 500 miles (Barfuss, 2023). Although the Dickinson water main break rate is less than other utilities, Dickinson has identified a region of interest where water main breaks are localized and have caused operational challenges within the water distribution system. To plan for current and future asset replacement, Dickinson has prioritized the replacement of water main and lead service lines.



2.3 Study Area Background

To further plan for both water main breaks and the replacement of lead service lines within the distribution system, the City of Dickinson identified a “Phase II Study Area” (Figure 1) within the distribution system that contains a high prevalence of cast iron water main and a significant number of lead service lines. The study area contains approximately 40% of the cast iron compared to 12% within the entire system making it an appropriate region to focus on water main replacement.

Figure 1: Phase II Study Area

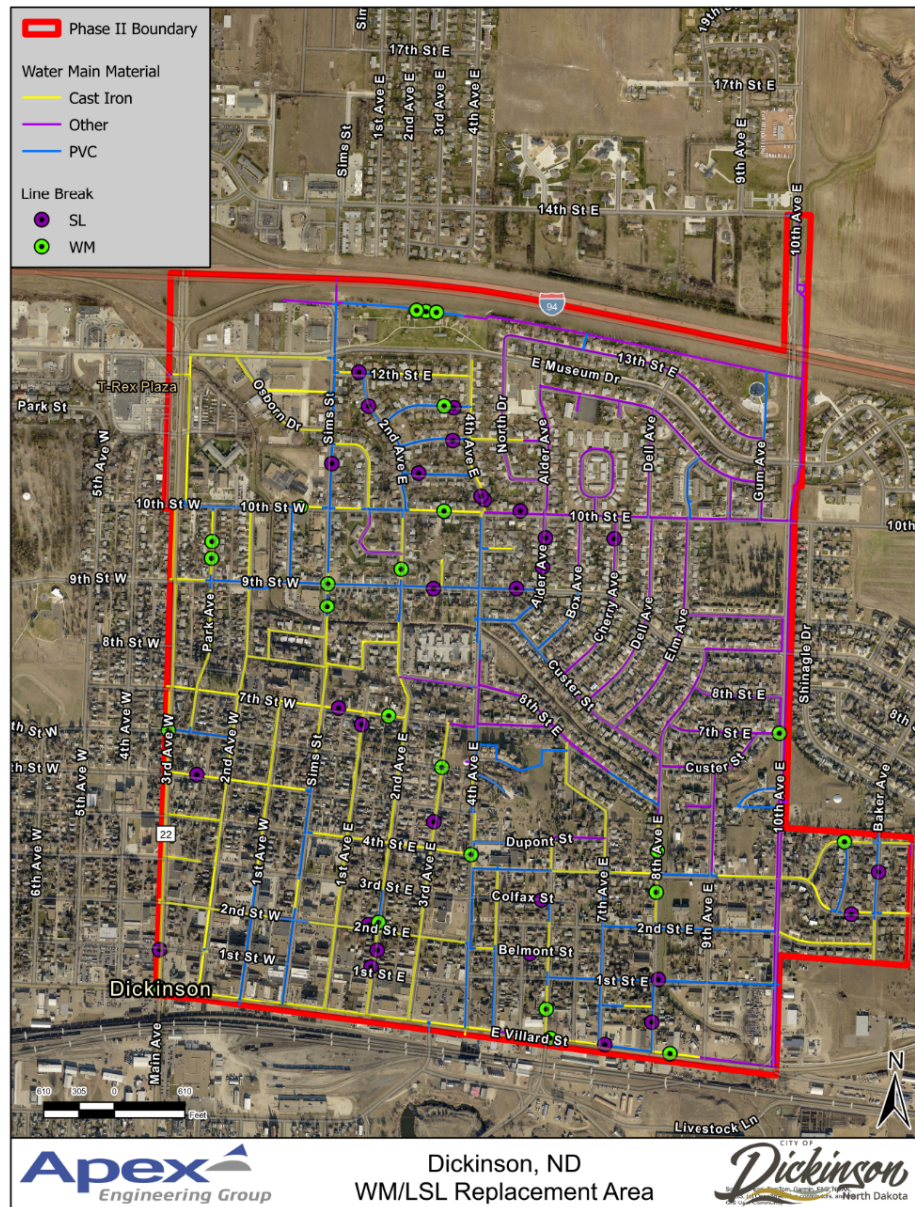


2.3.1 Study Area Water Main Breaks

Water main breaks within most distribution systems occur on cast iron pipe, where localized pipe corrosion has reduced pipe wall thickness. Although breaks also occur on water main materials such as asbestos cement or PVC, majority of water main breaks occur on cast iron. The total number of water main breaks (WM) present in the Phase II study area was 25 from 2010 to 2024. Water service line repairs (SL) in the study area accounted for 29 from the same period. Water main breaks in this area

account for 40% of the total water main breaks and are concentrated on streets that have Cast Iron Watermains. Service line repairs account for 26% of the total service line repairs in the city.

Figure 2: Phase II Study Area Water Main Breaks

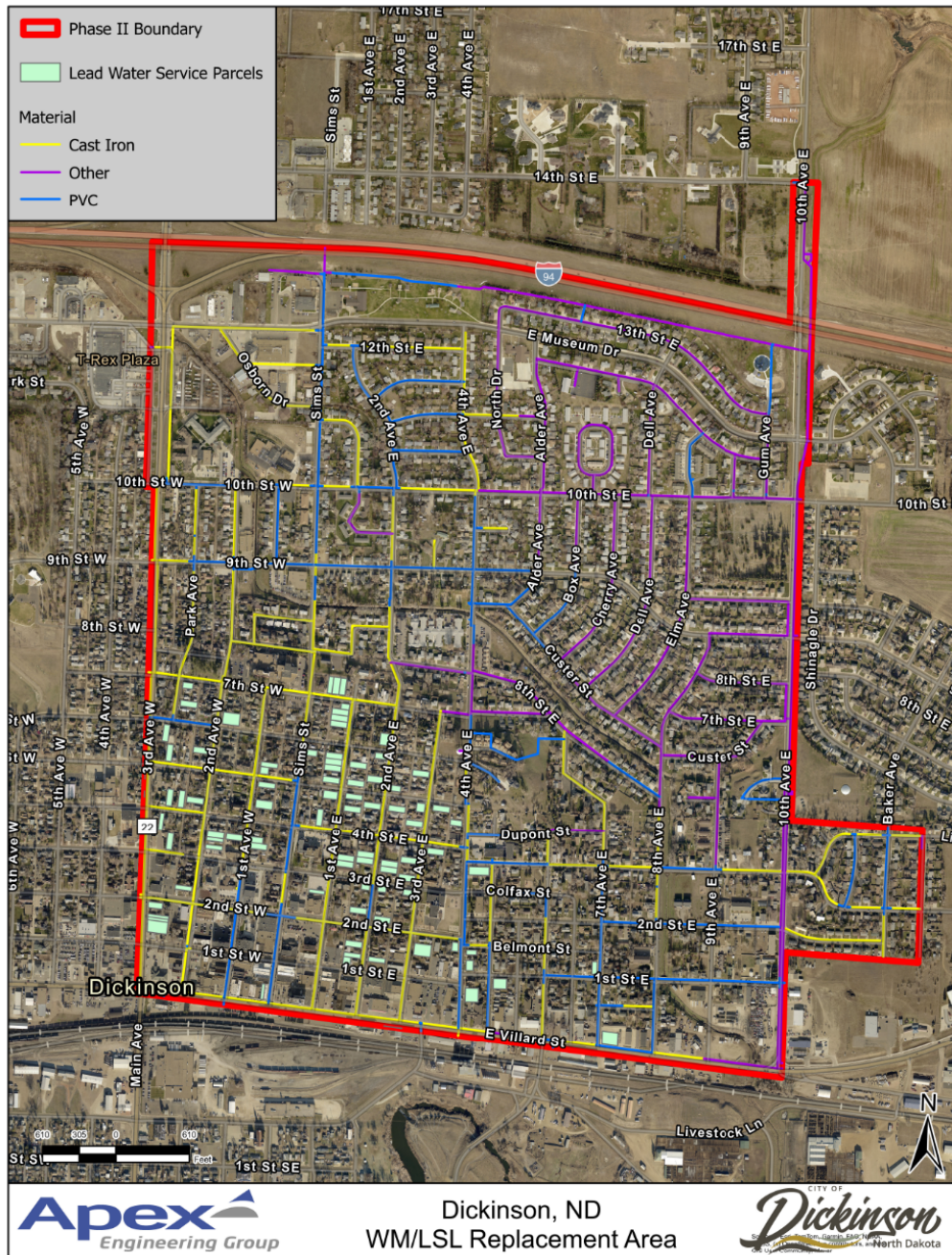


2.3.2 Study Area Lead Service Lines

The Revised Lead and Copper Rule requires public water suppliers to identify lead service lines and complete an inventory of those lines. Lead service line data was from City of Dickinson Public Works Department Dickinson which used a combination of techniques to come up with water service records.

In the study area lead service lines were concentrated between Villard to 7th Street and 3rd Avenue W to 4th Avenue E. See Figure 3. This concentration area is primarily fed from Cast Iron water mains. The City of Dickinson in Phase I began prioritizing lead service line replacement and will continue to replace lead services with continued funding in Phase II.

Figure 3: Phase II Study Area Lead Service Lines



3.0 Analysis of Alternatives

3.1 Alternative 1 – No Action

The first alternative is to do nothing. The City could continue to react to water main breaks as they occur. This would not prevent future breaks and disruptions in service. It is likely that the number of breaks per year will only increase as the cast iron pipes deteriorate further. This alternative would not address the lead service line replacement issue.

Cost Estimate: \$0.00

3.2 Alternative 2 – Replacement of Cast Iron Water Main and Lead Service Lines

The City can begin water main replacement identified within the study area. Lead service lines can be replaced along with the water mains. The City can budget money in the Capital Improvement Plan as necessary to pay for the project as well as utilizing the DWSRF loan program. The City can also develop a lead service line replacement plan to accompany the water main replacement.

Cost Estimate: \$18,000,000

3.3 Recommendations

It is recommended that the City of Dickinson implement Alternative 2 – Replacement of Cast Iron Water Main and Lead Service Lines. The project can be spread out over several years, working with the City's Capital Improvement Plan, and additional financing can be obtained through the DWSRF loan program. Planning level estimates to complete the watermain and lead service line replacement projects are approximately \$2,000,000 for 2025, and \$4,000,000 for 2026 to 2029. The project could be financed using DWSRF funding.

3.4 Environmental Benefits and Impacts

A solicitation of views from various agencies was completed and responses have been received. A copy of the letter sent to the agencies, a list of agencies contacted, and their responses are included in Appendix A of this report. The environmental issues resulting in not completing the water main replacements would potentially negatively impact the city and public health. The potential impacts of not completing the project include potable water contamination, continued disruption of service and possible long term lack of service. The city is experiencing increasing issues with its aging infrastructure and needs to complete this project to provide quality drinking water to residents, business, and industry in the area.



Appendix A

Environmental Solicitation Letter

Environmental Solicitation Agencies

Environmental Solicitation Response

Summary of Environmental Solicitation.	
State Historical Society	Class I survey required
State Game and Fish	No concerns
US Fish and Wildlife	This project will have no effects on the species in the area. It is in an established residential area.
USDA Natura Resources Conservation Service	No concerns
US Army Corps of Engineers	Project may require a Section 404 permit if discharge of dredge or fill material (temporarily or permanently) would be placed in waters of the United States.
State Health Department – NDDEQ	Follow Construction and Environmental Disturbance Requirements.
State Water Commission/Department of Water Resources	Regulatory floodplains exist for various stream crossing locations in the project area. Floodplain permits will be required if work is within identified SFHA.
Stark County Planning and Zoning	No Reply
Stark County	No Reply
City of Dickinson Planning Department	No Reply
City of Dickinson – City Engineer	No Reply
City of Dickinson – Public Works	No Reply
City of Dickinson Commission	No Reply
City of Dickinson Wastewater Treatment Facility	No Reply



January 15, 2025

Name
Organization
Address

RE: Water Main and Lead Line Replacement – Phase II
Apex No. 24.107.0026

The City of Dickinson is proposing a water main and lead line replacement project in central Dickinson. This project is located in the City of Dickinson, Stark County, North Dakota. A site map is enclosed for the project. The City intends to fund this project using the North Dakota Clean Water State Revolving Fund program and a North Dakota Department of Water Resources grant.

The City of Dickinson is upgrading the existing drinking water distribution system. The Water Main and Lead Line Replacement – Phase II project will replace aging cast iron and asbestos cement water pipes with PVC and related appurtenances, and also replace any lead service lines in the project area.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in, and which would be adjacent to the proposed projects. Any information that might help us in our studies would be appreciated. Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

It is requested that any comments or information be forwarded to our office on or before February 21, 2025. If further information is desired regarding these proposed projects, please contact Susan Hazelett at 701-224.3101 or susan.hazelett@apexenggroup.com.

Thank you for your time on this project.

Apex Engineering Group, Inc.



Susan Hazelett, PE

Enclosure

Agency	First Name	Last Name	Title	Office	Company	Address	City	State	Zip
Historical Society	William	Peterson	Director	Bismarck	ND State Historical Preservation Officer	612 E Boulevard Ave	Bismarck	ND	58505
State Game & Fish	Jeb	Williams	Director	Bismarck	ND Game & Fish Department	100 Bismarck Expressway	Bismarck	ND	58501-5095
US Fish and Wildlife	Amity	Bass	Field Supervisor	ND Field Office	US Fish & Wildlife Service	3425 Miriam Ave.	Bismarck	ND	58501
USDA Natural Resources Conservation Service	Richard	Webb	State Conservationist	Bismarck	US Department of Agriculture	PO Box 1458	Bismarck	ND	58502-1458
US Army Corps of Engineers	Toni	Erhardt	Manager	ND Regulatory Office	US Army Corps of Engineers	3319 University Dr	Bismarck	ND	58504
US Army Corps of Engineers	Colonel Mark R.	Himes	Commander & District Engineer	District Office	US Army Corps of Engineers	1616 Capitol Avenue # 9000	Omaha	NE	68102-4926
State Health Department – NDDEQ	L. David	Glatt	Director	Department of Environmental Quality	ND Department of Health	4201 Normandy Street	Bismarck	ND	58503
State Water Commission	John	Paczkowski	State Engineer	Bismarck	ND State Water Commission	900 E. Blvd. Ave.	Bismarck	ND	58505-0850
Stark County Planning & Zoning	Steve	Josephson	Zoning Director	Dickinson	Stark County	51 3rd Street E PO Box 130	Dickinson	ND	58602-0130
Stark County	Dean	Franchuk	Chairman	Dickinson	Stark County Commission	51 3rd Street E PO Box 130	Dickinson	ND	58602-0130
City of Dickinson Planning Department	Joshua	Skuzacek	Director	Dickinson	City of Dickinson	38 1st Street West	Dickinson	ND	58601
City of Dickinson - City Engineer	Joshua	Skuzacek	City Engineer	Dickinson	City of Dickinson	38 1st Street West	Dickinson	ND	58601
City of Dickinson Public Works	Aaron	Praus	Public Works Director	Dickinson	City of Dickinson	3411 Public Works Blvd.	Dickinson	ND	58601
City of Dickinson Commission	Scott	Decker	President	Dickinson	City of Dickinson	38 1st Street West	Dickinson	ND	58601
City of Dickinson Wastewater Treatment Facility	Duane	Zastoupil	Water Utility Manager	Dickinson	City of Dickinson	38 1st Street West	Dickinson	ND	58601



February 14, 2025

Susan Hazelett
Apex Engineering Group
600 South 2nd Street
Suite 145
Bismarck, ND 58504

ND SHPO Ref.: 25-0094 Water Main and Lead Line Replacement - Phase II, Apex NO. 24.107.0026, Dickinson in portions of [T139W R96W Sections 2 and 3; and T140N R96W Sections 34 and 35] Stark County, North Dakota

Dear Susan,

We reviewed project ND SHPO Ref.: 25-0094 Water Main and Lead Line Replacement - Phase II, Apex NO. 24.107.0026, Dickinson in portions of [T139W R96W Sections 2 and 3; and T140N R96W Sections 34 and 35] Stark County, North Dakota as received by our office on January 17, 2025. We understand the project is to replace water mains and replace lead service line connections.

We request a Class I Literature Review due to the number of recorded architecture sites within this area of Dickinson. The Class I report should include discussion of areas that may require additional cultural work or recommendations for monitoring in sensitive areas. The Class I needs to also include information about 1) Historic Districts; 2) architecture or sites listed in the North Dakota State Historic Sites Registry; and 3) architecture or sites listed in the National Register of Historic Places.

Please also note the project has work in the vicinity of the St. Wenceslaus Cemetery and refer to North Dakota burial laws NDCC 23-06-27 and NDAC 40-02-03.

Thank you for the opportunity to review this project. We look forward to reviewing the Class I report. Please include the ND SHPO Reference number listed above in any future correspondence for this project. If you have any questions please contact Andrew Robinson, State Archaeologist at 701-328-3575 or andrewrobinson@nd.gov or Margie Patton, Research Archaeologist at 701-328-3576 or mmpatton@nd.gov

Sincerely,

for William D. Peterson PhD
State Historic Preservation Officer
(North Dakota)

25-0094

January 15, 2025

ND Game & Fish Department
Director, Jeb Williams
100 Bismarck Expressway
Bismarck, ND 58501-5095

RE: Water Main and Lead Line Replacement – Phase II
Apex No. 24.107.0026

The City of Dickinson is proposing a water main and lead line replacement project in central Dickinson. This project is located in the City of Dickinson, Stark County, North Dakota. A site map is enclosed for the project. The City intends to fund this project using the North Dakota Clean Water State Revolving Fund program and a North Dakota Department of Water Resources grant.

The City of Dickinson is upgrading the existing drinking water distribution system. The Water Main and Lead Line Replacement – Phase II project will replace aging cast iron and asbestos cement water pipes with PVC and related appurtenances, and also replace any lead service lines in the project area.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in, and which would be adjacent to the proposed projects. Any information that might help us in our studies would be appreciated. Information or comments relating to environmental or other matters that you might furnish will be used in determining if this project is a "categorical exclusion" or whether an "Environmental Assessment" or a "Draft Environmental Impact Statement" will be prepared.

It is requested that any comments or information be forwarded to our office on or before February 21, 2025. If further information is desired regarding these proposed projects, please contact Susan Hazelett at 701-224.3101 or susan.hazelett@apexenggroup.com.

Thank you for your time on this project.

Apex Engineering Group, Inc.



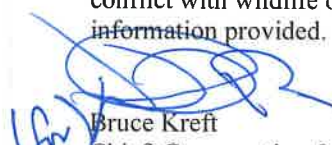
Susan Hazelett, PE

Enclosure



North Dakota Game & Fish Dept.
100 N. Bismarck Expressway
Bismarck, ND 58501-5095

We have reviewed the project and foresee no identifiable conflict with wildlife or wildlife habitat based on the information provided.



Bruce Kreft
Chief, Conservation & Communication Division
Date: 2/10/25



United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Phone: (701) 250-4481 Fax: (701) 355-8513



In Reply Refer To:

02/10/2025 22:29:38 UTC

Project code: 2025-0054384

Project Name: Watermain Replacement Project 2025

Subject: Technical Assistance letter for 'Watermain Replacement Project 2025' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the North Dakota Determination Key (DKey) for project review and guidance for federally listed species.

Susan Hazelett:

The U.S. Fish and Wildlife Service (Service) received on **February 10, 2025** your effects determination for the 'Watermain Replacement Project 2025' (the Action) using the North Dakota DKey for project review and guidance for federally-listed species within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance of the Service's North Dakota DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Whooping Crane (<i>Grus americana</i>)	Endangered	No effect

Thank you for informing the Service of your "No Effect" determinations for this project. No further consultation/coordination for this project is required for these species.

In addition to the species listed above, the following species and/or critical habitats may also occur in your project area and **are not** covered by this conclusion:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened
- Suckley's Cuckoo Bumble Bee *Bombus suckleyi* Proposed Endangered
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened

The Service recommends that your agency contact the North Dakota Ecological Services Field Office or re-evaluate the project in IPaC if: 1) the scope, timing, duration, or location of the proposed project changes, 2) new information reveals the action may affect listed species or

designated critical habitat; 3) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the North Dakota Ecological Services Field Office should take place before project changes are final or resources committed.

Bald and Golden Eagle Protection Act(BGEPA): The following resources are provided to project proponents and consulting agencies as additional information. Bald and golden eagles are not included in this section 7(a)(2) consultation and this information does not constitute a determination of effects by the Service.

The Service developed the National Bald Eagle Management Guidelines to advise landowners, land managers, and others who share public and private lands with Bald Eagles when and under what circumstances the protective provisions of the BGEPA may apply to their activities. The guidelines should be consulted prior to conducting new or intermittent activity near an eagle nest. This document may be downloaded from the following site: <https://www.fws.gov/media/national-bald-eagle-management-guidelines-0>

To determine if your proposed activity is likely to take or disturb Golden or Bald Eagles, please call our office at 701-250-4481 for further review.

If the recommendations detailed in the National Bald Eagle Management Guidelines cannot be followed, you may apply for a permit to authorize removal or relocation of an eagle nest in certain instances. The application form is located at <http://www.fws.gov/forms/3-200-72.pdf>.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Watermain Replacement Project 2025

2. Description

The following description was provided for the project 'Watermain Replacement Project 2025':

The city is replacing asbestos concrete pipe and cast iron pipes in their distribution system with pvc pipes.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@46.8876788,-102.77709055642869,14z>



QUALIFICATION INTERVIEW

1. Is your project a federal project or have a federal nexus (funded, permitted or other authorization by a federal agency)?

Yes

2. Does your project consist solely of interior or exterior rehabilitation and renovations of existing residential, commercial buildings and public facilities?

Note: These activities may involve exterior painting, replacement of doors, windows, siding or roofing.

No

3. Does your project consist solely of work done within the existing footprint of a building such as electrical, heating plumbing, basement and foundation repairs?

No

4. Does your project consist solely of additions onto an existing structure?

No

5. Does your project consist solely of renting or purchasing existing buildings?

No

6. Does your project consist solely of demolition of structures within Incorporated City Boundaries?

No

7. Does your project consist solely of repair or replacement of existing parking lots, sidewalks, roads or other paved or graveled surfaces?

No

8. Does your project consist solely of repair or replacement or upgrading playground equipment?

No

9. Is your project a wind farm?

No

10. Is your project a new construction on an existing residential infill lot within Incorporated City Boundaries?

No

11. Are you building overhead power lines?

No

12. Are you constructing a communication tower or other permanent structure?

No

13. Are there any wetlands in your project area?

No

14. Will the project impact a wetland?

Note: Common impacts to wetlands include filling, grading, removal of vegetation, building construction and changes in water levels and drainage patterns.

No

15. Is your project located entirely within a developed area?

Note: A developed area is an area that is already paved or supports structures and the only vegetation is limited to frequently mowed grass or conventional landscaping.

Yes

16. [Semantic] Does the action area intersect the Whooping Crane area of influence?

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Dickinson city
Name: Susan Hazelett
Address: 600 S. 2nd Street
Address Line 2: Suite 145
City: Bismarck
State: ND
Zip: 58504
Email: susan.hazelett@apexenggroup.com
Phone: 7013904002

LEAD AGENCY CONTACT INFORMATION

Lead Agency: North Dakota Department of Health

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926
Phone: (701) 250-4481 Fax: (701) 355-8513



In Reply Refer To:

02/10/2025 22:25:56 UTC

Project Code: 2025-0054384

Project Name: Watermain Replacement Project 2025

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Section 7 of the Endangered Species Act

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The Act requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service *if they determine their project and associated actions "may affect" listed species or critical habitat*. If Federal agencies or their non-federal representatives determine their project and associated actions will have "no effect" on listed species, their habitats, or designated critical habitat, consultation is not required. However, if a "no effect" is determined, we recommend that you maintain a written record in support of your conclusion.

Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act

Additionally, while not all are listed as threatened or endangered, eagles and migratory birds

have protections under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The BGEPA prohibits take which is defined as, “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb” (50 CFR 22.3). Disturb is defined in regulations as, “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”. The MBTA makes it unlawful without a waiver to pursue, hunt, take, capture, kill, or sell birds listed as migratory birds, including eagles. The statute does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs, and nests.

Service Property Interests

As part of the National Wildlife Refuge System, the Service administers fee title Refuge and Waterfowl Production Areas, as well as wetland and grassland easements, throughout North Dakota. For exact locations of Service interest lands, please contact the appropriate Wetland Management Districts (WMD) for guidance regarding FWS easements.

Northwest ND WMD Complex: Kyle Flanery, (701) 768-2548

Eastern ND WMD Complex: Dave Azure, (701) 285-3341

Central ND WMD Complex (also covers south and west): Todd Luke, (701) 442-5474

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

North Dakota Ecological Services Field Office

3425 Miriam Avenue

Bismarck, ND 58501-7926

(701) 250-4481

PROJECT SUMMARY

Project Code: 2025-0054384

Project Name: Watermain Replacement Project 2025

Project Type: Wastewater Pipeline - New Constr - Below Ground

Project Description: The city is replacing asbestos concrete pipe and cast iron pipes in their distribution system with pvc pipes.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@46.8876788,-102.77709055642869,14z>



Counties: Stark County, North Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee <i>Bombus suckleyi</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10885	Proposed Endangered
Western Regal Fritillary <i>Argynnis idalia occidentalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/12017	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBAx
- R4SBC

FRESHWATER EMERGENT WETLAND

- PEM1Cx
- PEM1Ax

IPAC USER CONTACT INFORMATION

Agency: Dickinson city
Name: Susan Hazelett
Address: 600 S. 2nd Street
Address Line 2: Suite 145
City: Bismarck
State: ND
Zip: 58504
Email: susan.hazelett@apexenggroup.com
Phone: 7013904002

LEAD AGENCY CONTACT INFORMATION

Lead Agency: North Dakota Department of Health

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)

WATERMAIN REPLACEMENT PROJECT 2025

BIOLOGICAL ANALYSIS

Prepared using IPaC

Generated by Susan Hazelett (susan.hazelett@apexenggroup.com)

February 10, 2025

The purpose of this document is to assess the effects of the proposed project and determine whether the project may affect any federally threatened, endangered, proposed, or candidate species. If appropriate for the project, this document may be used as a biological assessment (BA), as it is prepared in accordance with legal requirements set forth under [Section 7 of the Endangered Species Act \(16 U.S.C. 1536 \(c\)\)](#).

In this document, any data provided by U.S. Fish and Wildlife Service is based on data as of February 10, 2025.

Prepared using IPaC version 6.121.1-rc1

WATERMAIN REPLACEMENT PROJECT 2025 BIOLOGICAL ASSESSMENT

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1 DESCRIPTION OF THE ACTION

1.1 PROJECT NAME

Watermain Replacement Project 2025

1.2 EXECUTIVE SUMMARY

This project will have no effects on the species in the area. It is in an established residential area.

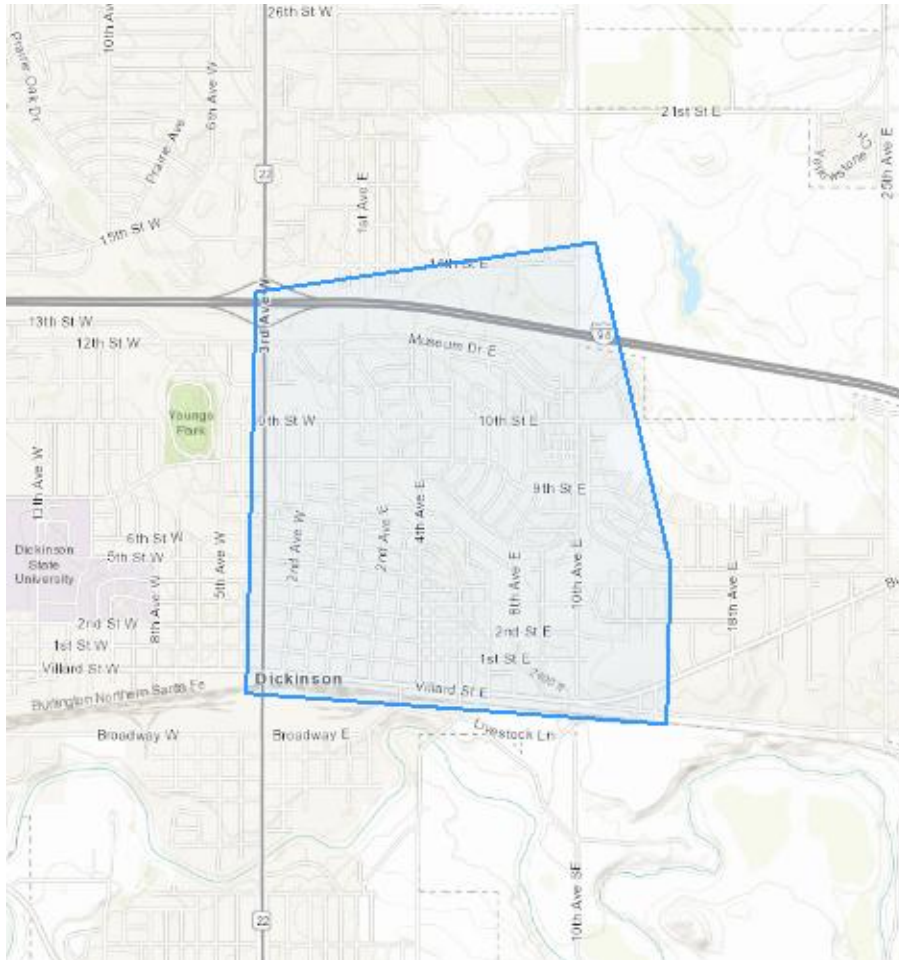
1.3 EFFECT DETERMINATION SUMMARY

SPECIES (COMMON NAME)	SCIENTIFIC NAME	LISTING STATUS	PRESENT IN ACTION AREA	EFFECT DETERMINATION
Monarch Butterfly	Danaus plexippus	Proposed Threatened	Yes	NE
Suckley's Cuckoo Bumble Bee	Bombus suckleyi	Proposed Endangered	Yes	NE
Western Regal Fritillary	Argynnis idalia occidentalis	Proposed Threatened	Yes	NE
Whooping Crane [†] . This species or critical habitat is covered by a DKey.	Grus americana	Endangered		NE

[†] This species or critical habitat has been analyzed through a Determination Key.

1.4 PROJECT DESCRIPTION

1.4.1 LOCATION



LOCATION

Stark County, North Dakota

1.4.2 DESCRIPTION OF PROJECT HABITAT

The project is entirely within city limits in developed area.

1.4.3 PROJECT PROPONENT INFORMATION

Provide information regarding who is proposing to conduct the project, and their contact information. Please provide details on whether there is a Federal nexus.

REQUESTING AGENCY

FULL NAME

Susan Hazelett

STREET ADDRESS

600 S. 2nd Street

Suite 145

CITY

Bismarck

STATE

ND

ZIP

58504

PHONE NUMBER

7013904002

E-MAIL ADDRESS

susan.hazelett@apexenggroup.com

LEAD AGENCY

State of North Dakota

North Dakota Department of Health

1.4.4 PROJECT PURPOSE

The city is replacing piping in its drinking water distribution system that have outlived their useful life. Asbestos cement and cast iron pipes are being replaced with pvc pipes.

1.4.5 PROJECT TYPE AND DECONSTRUCTION

This project is a water line replacement project.

1.4.5.1 PROJECT MAP



LEGEND



Project footprint



Project location: In-ground utilities construction

1.4.5.2 IN-GROUND UTILITIES CONSTRUCTION

ACTIVITY START DATE

May 01, 2025

ACTIVITY END DATE

September 30, 2025

STRESSORS

This activity is not expected to have any impact on the environment.

DESCRIPTION

The water lines to be replaced are in the existing streets. No new areas will be disturbed.

1.4.6 ANTICIPATED ENVIRONMENTAL STRESSORS

Describe the anticipated effects of your proposed project on the aspects of the land, air and water that will occur due to the activities above. These should be based on the activity deconstructions done in the previous section and will be used to inform the action area.

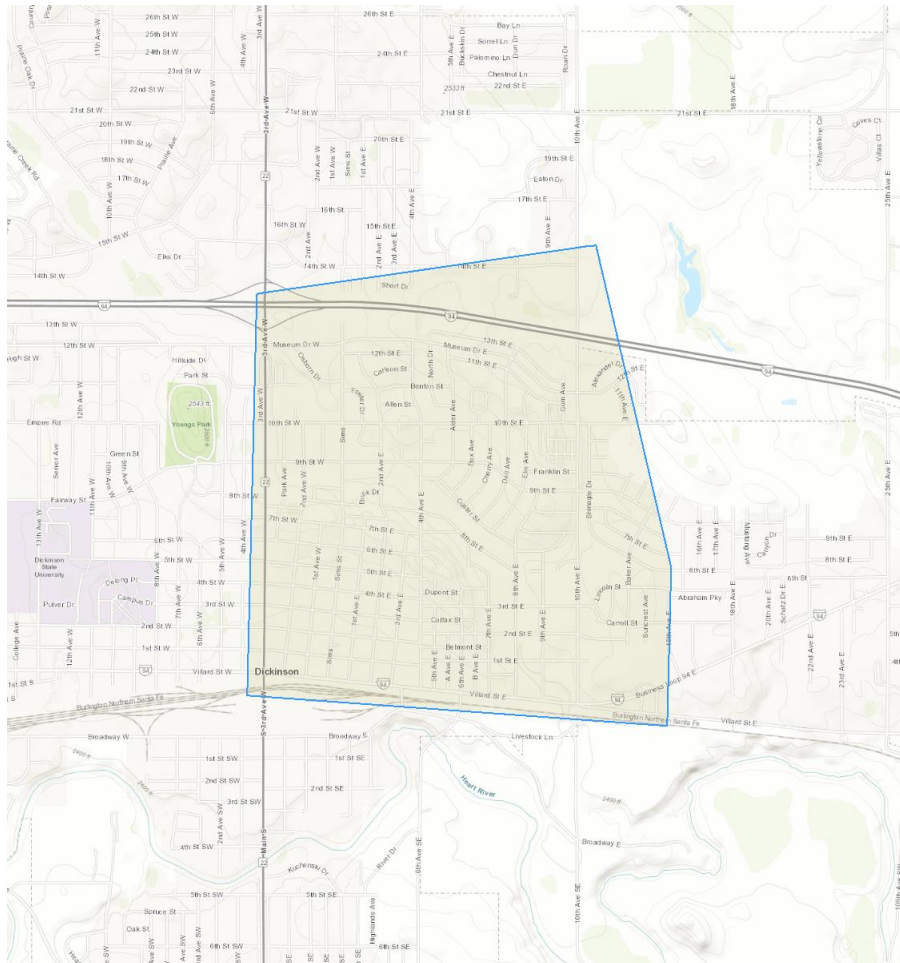
1.4.6.1 PLANT FEATURES

Individuals from the Plantae kingdom, such as trees, shrubs, herbs, grasses, ferns, and mosses. This feature also includes products of plants (e.g., nectar, flowers, seeds, etc.).

1.4.6.2 SPECIES INTERACTIONS / INTRODUCTIONS

Interactions that occur between two or more different species (e.g., competition, pollination, predation, symbiosis, etc.).

1.5 ACTION AREA



LEGEND

- Project footprint
- Stressor location

1.6 CONSERVATION MEASURES

Describe any proposed measures being implemented as part of the project that are designed to reduce the impacts to the environment and their resulting effects to listed species. To avoid extra verbiage, don't list measures that have no relevance to the species being analyzed.

No conservation measures have been selected for this project.

1.7 PRIOR CONSULTATION HISTORY

NA

1.8 OTHER AGENCY PARTNERS AND INTERESTED PARTIES

NA

1.9 OTHER REPORTS AND HELPFUL INFORMATION

NA

2 SPECIES EFFECTS ANALYSIS

This section describes, species by species, the effects of the proposed action on listed, proposed, and candidate species, and the habitat on which they depend. In this document, effects are broken down as direct interactions (something happening directly to the species) or indirect interactions (something happening to the environment on which a species depends that could then result in effects to the species).

These interactions encompass effects that occur both during project construction and those which could be ongoing after the project is finished. All effects, however, should be considered, including effects from direct and indirect interactions and cumulative effects.

2.1 MONARCH BUTTERFLY

2.1.1 STATUS OF THE SPECIES

This section should provide information on the species' background, its biology and life history that is relevant to the proposed project within the action area that will inform the effects analysis.

2.1.1.1 LEGAL STATUS

The Monarch Butterfly is federally listed as 'Proposed Threatened' and additional information regarding its legal status can be found on the [ECOS species profile](#).

2.1.1.2 RECOVERY PLANS

Available recovery plans for the Monarch Butterfly can be found on the [ECOS species profile](#).

2.1.1.3 LIFE HISTORY INFORMATION

For information on monarch conservation, visit <https://www.fws.gov/initiative/pollinators/monarchs>, http://www.mafwa.org/?page_id=2347, and, for the West, <https://wafwa.org/committees-working-groups/monarch-working-group/>.

Adult monarch butterflies are large and conspicuous, with bright orange wings surrounded by a black border and covered with black veins. The black border has a double row of white spots, present on the upper side of the wings. Adult monarchs are sexually dimorphic, with males having narrower wing venation and scent patches. The bright coloring of a monarch serves as a warning to predators that eating them can be toxic.

During the breeding season, monarchs lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.), and larvae emerge after two to five days. Larvae develop through five larval instars (intervals between molts) over a period of 9 to 18 days, feeding on milkweed and sequestering toxic chemicals (cardenolides) as a defense against predators. The larva then pupates into a chrysalis before emerging 6 to 14 days later as an adult butterfly. There are multiple generations of monarchs produced during the breeding season, with most adult butterflies living approximately two to five weeks; overwintering adults enter into reproductive diapause (suspended reproduction) and live six to nine months.

In many regions where monarchs are present, monarchs breed year-round. Individual monarchs in temperate climates, such as eastern and western North America, undergo long-distance migration, and live for an extended period of time. In the fall, in both eastern and western North America, monarchs begin migrating to their respective overwintering sites. This migration can take monarchs distances of over 3,000 km and last for over two months. In early spring (February-March), surviving monarchs break diapause and mate at the overwintering sites before dispersing. The same individuals that undertook the initial southward migration begin flying back through the breeding grounds and their offspring start the cycle of generational migration over again.

IDENTIFIED RESOURCE NEEDS

Trees

Leaves, stems

2.1.1.4 CONSERVATION NEEDS

[They need to have their habitat conserved.](#)

2.1.2 ENVIRONMENTAL BASELINE

*The environmental baseline describes the species' health **within the action area only** at the time of the consultation, and does not include the effects of the action under*

review. Unlike the species information provided above, the environmental baseline is at the scale of the Action area.

2.1.2.1 SPECIES PRESENCE AND USE

If the species uses the area for any life stage, it has been doing so for a long time. This is one of the older areas of the city.

2.1.2.2 SPECIES CONSERVATION NEEDS WITHIN THE ACTION AREA

The action area is an established residential area. No changes need to be made.

2.1.2.3 HABITAT CONDITION (GENERAL)

The area is an established residential area. No changes need to be made.

2.1.2.4 INFLUENCES

The area is an established residential area. No changes need to be made.

2.1.2.5 ADDITIONAL BASELINE INFORMATION

The area is an established residential area. No changes need to be made.

2.1.3 EFFECTS OF THE ACTION

This section considers and discusses all effects on the listed species that are caused by the proposed action and are reasonably certain to occur, including the effects of other activities that would not occur but for the proposed action.

2.1.3.1 INDIRECT INTERACTIONS

Provide a brief overview of what the applicable science has discovered regarding the species and its response to the stressors that each project activity may cause. This should include an explanation of the pathways and mechanisms that have potential to translate environmental change (impact) into response and effects to individuals.

2.1.3.2 DIRECT INTERACTIONS

No direct interactions leading to effects on species are expected to occur from the proposed project.

Justification:

This area is an established residential area.

2.1.4 CUMULATIVE EFFECTS

This area is an established residential area. No changes in activities are anticipated.

2.1.5 DISCUSSION AND CONCLUSION

DETERMINATION: **NE**

2.2 SUCKLEY'S CUCKOO BUMBLE BEE

2.2.1 STATUS OF THE SPECIES

This section should provide information on the species' background, its biology and life history that is relevant to the proposed project within the action area that will inform the effects analysis.

2.2.1.1 LEGAL STATUS

The Suckley's Cuckoo Bumble Bee is federally listed as 'Proposed Endangered' and additional information regarding its legal status can be found on the [ECOS species profile](#).

2.2.1.2 RECOVERY PLANS

Available recovery plans for the Suckley's Cuckoo Bumble Bee can be found on the [ECOS species profile](#).

2.2.1.3 LIFE HISTORY INFORMATION

No description available

IDENTIFIED RESOURCE NEEDS

Pollination (biological vector)
Flowers

2.2.1.4 CONSERVATION NEEDS

They need their habitats conserved.

2.2.2 ENVIRONMENTAL BASELINE

*The environmental baseline describes the species' health **within the action area only** at the time of the consultation, and does not include the effects of the action under*

review. Unlike the species information provided above, the environmental baseline is at the scale of the Action area.

2.2.2.1 SPECIES PRESENCE AND USE

If the species uses this area for any of its life stages, it has done so for decades as this is one of the oldest parts of the city.

2.2.2.2 SPECIES CONSERVATION NEEDS WITHIN THE ACTION AREA

This area is an established residential area. No changes are needed.

2.2.2.3 HABITAT CONDITION (GENERAL)

This area is an established residential area.

2.2.2.4 INFLUENCES

This area is an established residential area.

2.2.2.5 ADDITIONAL BASELINE INFORMATION

This area is an established residential area.

2.2.3 EFFECTS OF THE ACTION

This section considers and discusses all effects on the listed species that are caused by the proposed action and are reasonably certain to occur, including the effects of other activities that would not occur but for the proposed action.

2.2.3.1 INDIRECT INTERACTIONS

Provide a brief overview of what the applicable science has discovered regarding the species and its response to the stressors that each project activity may cause. This should include an explanation of the pathways and mechanisms that have potential to translate environmental change (impact) into response and effects to individuals.

2.2.3.2 DIRECT INTERACTIONS

No direct interactions leading to effects on species are expected to occur from the proposed project.

Justification:

This area is an established residential area.

2.2.4 CUMULATIVE EFFECTS

No changes in activities expected.

2.2.5 DISCUSSION AND CONCLUSION

DETERMINATION: **NE**

2.3 WESTERN REGAL FRITILLARY

2.3.1 STATUS OF THE SPECIES

This section should provide information on the species' background, its biology and life history that is relevant to the proposed project within the action area that will inform the effects analysis.

2.3.1.1 LEGAL STATUS

The Western Regal Fritillary is federally listed as 'Proposed Threatened' and additional information regarding its legal status can be found on the [ECOS species profile](#).

2.3.1.2 RECOVERY PLANS

Available recovery plans for the Western Regal Fritillary can be found on the [ECOS species profile](#).

2.3.1.3 LIFE HISTORY INFORMATION

No description available

IDENTIFIED RESOURCE NEEDS

Trees

Leaves

2.3.1.4 CONSERVATION NEEDS

Habitat needs to be conserved.

2.3.2 ENVIRONMENTAL BASELINE

*The environmental baseline describes the species' health **within the action area only** at the time of the consultation, and does not include the effects of the action under review. Unlike the species information provided above, the environmental baseline is at the scale of the Action area.*

2.3.2.1 SPECIES PRESENCE AND USE

If the species uses this area for any of its life stages, it has done so for a long time. This is one of the oldest parts of the city.

2.3.2.2 SPECIES CONSERVATION NEEDS WITHIN THE ACTION AREA

This area is an established residential area.

2.3.2.3 HABITAT CONDITION (GENERAL)

This area is an established residential area.

2.3.2.4 INFLUENCES

None.

2.3.2.5 ADDITIONAL BASELINE INFORMATION

This area is an established residential area.

2.3.3 EFFECTS OF THE ACTION

This section considers and discusses all effects on the listed species that are caused by the proposed action and are reasonably certain to occur, including the effects of other activities that would not occur but for the proposed action.

2.3.3.1 INDIRECT INTERACTIONS

Provide a brief overview of what the applicable science has discovered regarding the species and its response to the stressors that each project activity may cause. This should include an explanation of the pathways and mechanisms that have potential to translate environmental change (impact) into response and effects to individuals.

2.3.3.2 DIRECT INTERACTIONS

No direct interactions leading to effects on species are expected to occur from the proposed project.

Justification:

This area is an established residential area.

2.3.4 CUMULATIVE EFFECTS

No changes in activities is anticipated.

2.3.5 DISCUSSION AND CONCLUSION

DETERMINATION: [NE](#)

3 CRITICAL HABITAT EFFECTS ANALYSIS

No critical habitats intersect with the project action area.

4 SUMMARY DISCUSSION AND CONCLUSION

4.1 SUMMARY DISCUSSION

This project is in an established residential area. There will be no overall effects on any of these species or their habitats.

4.2 CONCLUSION

This project will have no environmental affects. It is located in an established residential area.

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



United States Department of Agriculture

February 11, 2025

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
Fax 855-813-7556

Susan Hazelett, PE
Apex Engineering Group
600 South 2nd Street
Bismarck, ND 58504

Dear Ms. Hazelett:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated January 15, 2025, concerning the Water Main and Lead Line Replacement-Phase II (Project # 24.107.0026) in the City of Dickinson, North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is used. Your proposed project is within the city limits of Dickinson, North Dakota where FPPA does not apply; therefore, no further action is needed.

If you have additional questions pertaining to FPPA, please feel free to contact me at (701) 530-2018 or by email at Susan.Samsonliebig@usda.gov.

Sincerely,

Susan Samson-Liebig

SUSAN SAMSON-LIEBIG
Acting State Soil Scientist

Helping People Help the Land

USDA is an Equal Opportunity Provider, Employer, and Lender



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

February 7, 2025

NWO-2022-00889-BIS

Apex Engineering Group
Attn: Ms. Susan Hazelett
600 South 2nd Street, Suite 145
Bismarck, North Dakota 58504

Dear Ms. Hazelett:

This is in response to information received on January 21, 2025 regarding the proposed City of Dickinson, Water Main and Lead Line Replacement - Phase II, Project No. 24.107.0026. The project is located in the SE $\frac{1}{4}$ of Section 33 and S $\frac{1}{2}$ of Section 34, Township 140 North, Range 96 West; and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2 and Section 3, Township 139 North, Range 96 West, Stark County, North Dakota.

U. S. Army Corps of Engineers Regulatory Offices administer Section 404 of the Clean Water Act (Section 404). A Section 404 permit would be required for the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Based on the information contained in your letter, the Corps has determined that your proposed project may need a Clean Water Act Section 404 permit if there is a discharge of dredge or fill material into any types of waters listed in the paragraph above. If you decide to submit a permit application, the permit application and instructions for completing the application are enclosed and may also be found at: <http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit>. Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, mail it to the letterhead address or to the email address (preferred) below.

The North Dakota Regulatory office prefers that all submissions are sent electronically to the following email address: CENWO-OD-RND@usace.army.mil instead of a hard copy by mail. Please split large attachments (>25 MB) into multiple emails if needed.

Please refer to identification number NWO-2022-00889-BIS in any correspondence concerning this project. If you have any questions, please contact Jeremy Nygard at U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504-7565, by email at *Jeremy.S.Nygard@usace.army.mil*, or telephone at 701-989-6425. For more information regarding our program, please visit our website at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx>.

Sincerely,

Benjamin D. Reile

For Benjamin N. Soiseth
Chief, North Dakota Section

Enclosure

February 6, 2025

Susan Hazelett, P.E.
Apex Engineering Group
600 South 2nd St., Suite 145
Bismarck, ND 58504

Re: Project Code: 24.107.0026, City of Dickinson, Water Main and Lead Line Replacement - Phase II in Stark County

Dear Ms. Hazelett:

The North Dakota Department of Environmental Quality (Department) has reviewed the information concerning the above-referenced project received at the Department on January 17, 2025, with respect to possible environmental impacts.

1. Necessary measures should be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise should 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 stormwater runoff until the site is stabilized by the re-establishment of vegetation or other permanent cover. Projects involving temporary dewatering or hydrostatic testing also are required to have a permit to discharge. Further information on the stormwater permit and temporary dewatering and hydrostatic testing permit may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210. Also, cities and counties 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 stormwater management considerations are addressed.
4. All necessary measures must be taken to minimize the disturbance of any asbestos-containing material and to prevent any asbestos fiber release episodes. Any facility, including pipelines, that is to be renovated or demolished must be inspected for asbestos. Notification of the Department's Division of Waste Management at 701-328-5166 is

required before any demolition. Removal of any friable asbestos-containing material must be accomplished in accordance with Section 33.1-15-13-02 of the North Dakota Air Pollution Control Rules.

5. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the Department's Division of Waste Management at 701-328-5166.

Division of Waste Management – UST Program

The Department's UST Program does have records which indicate historical underground storage tanks within the project area in the city of Dickinson, ND (see attached list).

If the construction or demolition will require the removal, installation or replacement of any UST system (tanks, piping or associated components) or the reporting of any release, it will need to follow the TECHNICAL STANDARDS AND CORRECTIVE ACTION REQUIREMENTS FOR OWNERS AND OPERATORS OF UNDERGROUND STORAGE TANKS, CHAPTER 33.1-24-08 regarding notification, installation, closure and compliance. The regulations can be found at <https://www.legis.nd.gov/information/acdata/pdf/33.1-24-08.pdf>

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.

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

Sincerely,



L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:ll
Attach.

Facility Report

Latitude and Longitude within .5 mile(s) of 46.886414 and -102.779304

Friday, January 24, 2025

Facility ID	Facility	Address	City	Region	Facility Type	Latitude	Longitude	Status
532	Montana-Dakota Utilities Company	1133 West Broadway	Dickinson	2	Industrial	46.879176	-102.789624	Inactive
590	City of Dickinson	625 West Broadway	Dickinson	2	Local Government	46.879176	-102.789624	Inactive
593	Central Fire Station	25 2nd Avenue West	Dickinson	2	Local Government	46.879214	-102.788630	Inactive
786	Keith Signs	1795 South Main	Dickinson	2	Commercial	46.879176	-102.789624	Inactive
935	Kramer Sheet Metal Inc	357 First St E	Dickinson	2	Industrial	46.879556	-102.779361	Inactive
1933	US West Communications	225 1st Avenue West	Dickinson	2	Utilities	46.881192	-102.788880	Inactive
2318	Andys Commercial Sanitation Inc	887 9th Street East	Dickinson	2	Commercial	46.887553	-102.771655	Inactive
2588	St Josephs Hospital Health Center	30 West 7th Street	Dickinson	2	Other	46.885935	-102.785005	Inactive
Number of Records 8								

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality (Department) for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the Department's pesticide application permit with notification to the Department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds, including, but not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.

February 19, 2025

Ms. Susan Hazelett

Apex Engineering Group
600 South 2nd Street
Bismarck, ND 58504
susan.hazelett@apexenggroup.com
701-224-3101

Dear Ms. Hazelett,

This is in response to your request for a review of the environmental impacts associated with the Water Main and Lead Line Replacement – Phase II Apex No. 24.107.0026, located in Dickinson, North Dakota.

The proposed project has been reviewed by Department of Water Resources (DWR), and the following comments are provided:

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of any future projects identified in the plan, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the DWR Water Appropriation Division if you have any questions at (701) 328-2754 or appropinfo@nd.gov.
- There is a FEMA National Flood Insurance Program (NFIP) regulatory floodplain identified or mapped where this proposed project is to take place. Impacted areas are designated to be in NFIP Zone AE, with floodway. The State of North Dakota has no formal NFIP permitting authority, as all NFIP permitting decisions are considered by impacted NFIP participating communities, which is the community with zoning authority for the area in question. Please work directly with the local floodplain administrator of the zoning authority impacted to achieve NFIP and community compliance.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or kyrkoski@nd.gov.

Sincerely,



Kyle Yrkoski
Planner III

KY:mg/1570

Appendix B

Public Participation

