

# Draft Environmental Assessment

Velva Wildlife Club  
Shooting Range Complex  
Velva, North Dakota



Submitted To:  
U.S. Fish and Wildlife Service  
134 Union Boulevard  
Lakewood, CO 80228

On Behalf of:  
North Dakota Game and Fish Department  
100 North Bismarck Expressway  
Bismarck, ND 58501  
And  
Velva Wildlife Club  
1901 U.S. 52  
Velva, ND 58790

Issue Date:  
April 2, 2018

# CONTENTS

<b>Chapter 1</b>	<b>Project Background, Purpose and Need .....</b>	<b>1</b>
1.1	Introduction.....	1
1.2	Project Background .....	1
1.3	Purpose and Need .....	1
<b>Chapter 2</b>	<b>Alternatives .....</b>	<b>3</b>
2.1	Proposed Action Alternative .....	3
2.2	No Action Alternative .....	5
<b>Chapter 3</b>	<b>Affected Environment.....</b>	<b>6</b>
3.1	Physical Environment and Land Use.....	6
3.2	Water Resources .....	6
3.3	Soils.....	9
3.4	Air Quality.....	11
3.5	Threatened and Endangered Species .....	11
3.6	Fish and Wildlife Resources .....	13
3.7	Vegetation .....	13
3.8	Noise.....	14
3.9	Cultural Resources.....	15
3.10	Socioeconomic.....	16
<b>Chapter 4</b>	<b>Environmental Consequences .....</b>	<b>17</b>
4.1	Physical Environment and Land Use.....	17
4.2	Water Resources .....	17
4.3	Soils.....	18
4.4	Air Quality.....	19
4.5	Threatened and Endangered Species .....	19
4.6	Fish and Wildlife Resources .....	20
4.7	Vegetation .....	20
4.8	Noise.....	21
4.9	Cultural Resources.....	21
4.10	Socioeconomic.....	21
4.11	Cumulative Impacts.....	22
<b>Chapter 5</b>	<b>Agency Consultation and Coordination .....</b>	<b>25</b>
<b>Chapter 6</b>	<b>Public Involvement .....</b>	<b>26</b>
<b>Chapter 7</b>	<b>List of Preparers.....</b>	<b>27</b>
<b>Chapter 8</b>	<b>References.....</b>	<b>28</b>

*FIGURES*

Figure 1, Project Location.....2  
Figure 2, Project Overview .....4  
Figure 3, Water Resources .....8  
Figure 4, Soils.....10

*TABLES*

Table 1, Soils.....9  
Table 2, Threatened and Endangered Species .....12  
Table 3, Existing Sound Levels .....14  
Table 4, Common Indoor and Outdoor Sound Sources.....15  
Table 5, Preparers .....27

*Appendices*

- Appendix A, Correspondences
- Appendix B, Public Involvement

# CHAPTER 1 PROJECT BACKGROUND, PURPOSE AND NEED

---

## 1.1 Introduction

Velva Wildlife Club (Club) is a non-profit organization founded in 2016 by Velva area sportsmen with a mission to promote youth education, hunter ethics and wildlife conservation.

The Club has applied to the North Dakota Game and Fish Department (NDGFD) for a grant to expand and improve their existing property. The Club is proposing construction of a shooting and educational facility, consisting of a rifle range, archery ranges and a trap range. Updates to existing buildings are also included as part of the improvements to the Club. The grant funds, if approved, will be administered through the United States (US) Fish and Wildlife Services (USFWS). By using Federal grant monies, a Federal nexus is triggered, requiring the implementation of the National Environmental Policy Act (NEPA) resulting in the preparation of this Environmental Assessment (EA).

This EA will be developed in accordance with NEPA standards, as amended, and the regulations of the Council on Environmental Quality 40 Code of Federal Regulations (CFR) Parts 1500 through 1508. This EA is an informational document intended for use by both decision makers and the public that discloses potential environmental impacts of the Proposed Action and alternatives.

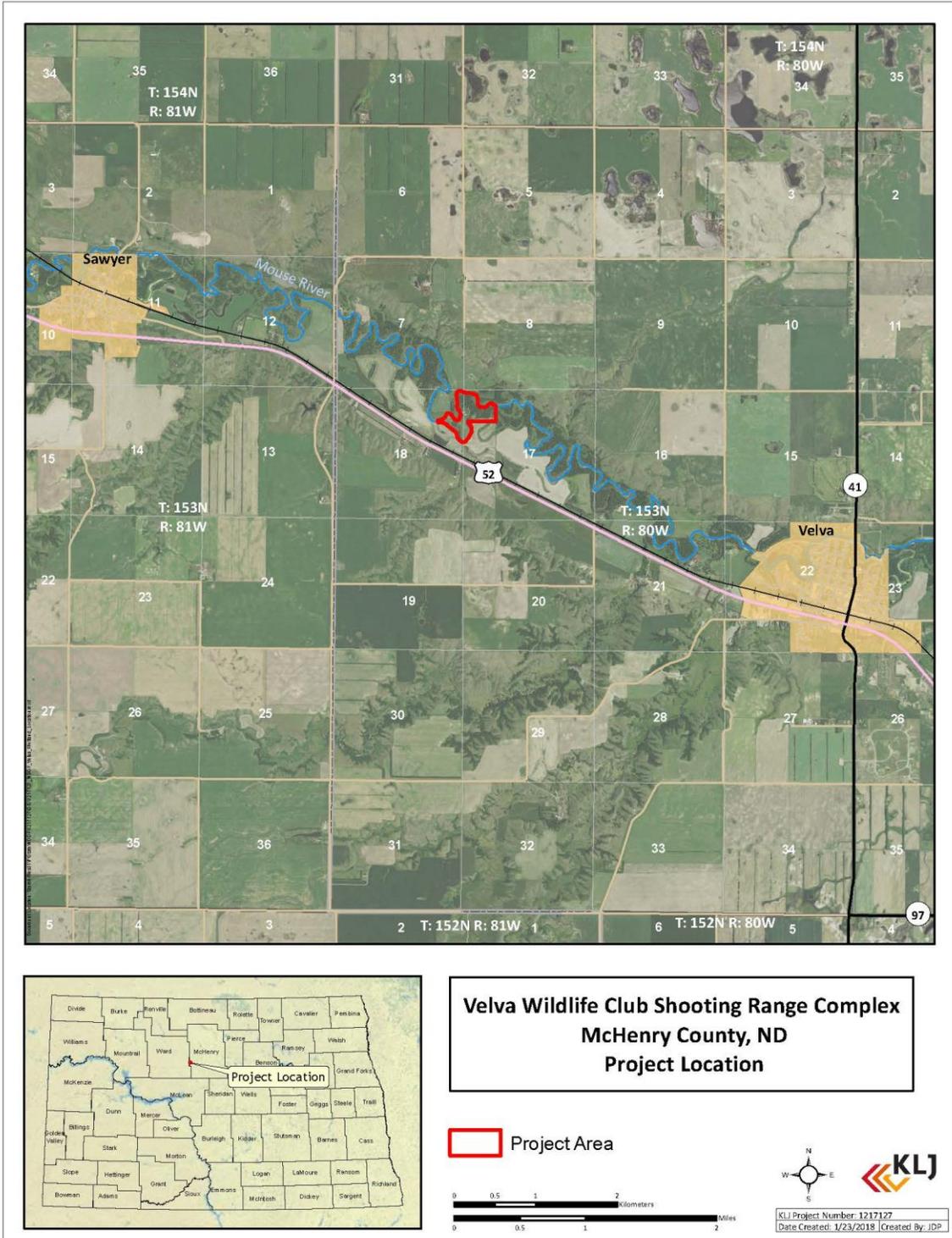
## 1.2 Project Background

The Club's property and proposed shooting range complex (the project) is located in McHenry County, 2.5 miles west of Velva, North Dakota (ND), right off ND Highway (Hwy) 52, at a former Farmer's Union Camp. Located on 52 acres, the property is directly adjacent to the Mouse River. Please refer to **Figure 1, Project Location**.

## 1.3 Purpose and Need

The purpose of the project is to: 1) develop a safe and accessible public shooting range facility from which to enjoy recreational shooting, 2) promote safe, responsible, knowledgeable and involved gun use, and 3) provide accessible hunter education opportunities to the public.

The need is driven by the lack of public shooting ranges in the area and North Dakota in general. The closest public shooting range is the Riverdale Wildlife Management Area, over 60 miles south of Velva. Safe shooting facilities are too few to support the demand of area shooters and hunters. Additionally, a certified Hunter Education Course is required by persons born after 1961 prior to obtaining a firearm or bow hunting license in North Dakota. The closest facility that offers the course is in Minot, which is approximately 25 miles northwest of Velva. Approximately 5,500 students are trained each year in North Dakota, and additional hunter education opportunities and facilities will support the demand.



**Figure 1, Project Location**

## CHAPTER 2 ALTERNATIVES

---

*This chapter describes and compares the alternatives considered for the proposed project.*

### 2.1 Proposed Action Alternative

The Proposed Action Alternative includes the issuance of USFWS grant funds, which in turn, will be dispersed by the NDGFD to be used by the Club to construct a shooting range complex. The shooting range complex includes the following shooting and educational facilities being constructed or updated. This alternative will meet the purpose and need as described in **Chapter 1**.

**Rifle Range:** The proposed rifle range will be located on the northeast corner of the property. The range will be outdoors and contain three shooting lanes. Each lane will be 300 feet (100 yards) long and 60 feet (20 yards) wide. The backstop, to catch bullets, will consist of a berm 10 feet high, 10 feet thick, and 120 feet wide (40 yards). The rifle range itself will be surrounded by a combination of wildlife friendly fence and chain link fence to allow wildlife to continue to utilize the travel corridor. The shooting house will have shooting benches and a solid back wall with an overhang. Construction activities associated with the rifle range will consist of clearing trees and leveling the ground with a dozer. The soil will be pushed to the end of the range to form the berm.

**Archery Ranges:** The proposed archery ranges will be located on the Northern and Southwestern portions of the property. The archery ranges will contain two outdoor archery courses: a target course on the Southwest corner and a 3D course on the North half. The 3D archery course consists of approximately 23 removable targets of multiple species including, but not limited to, antelope, hog, deer, elk, and mountain goat. The Club may buy additional full-sized moose, caribou, and other miscellaneous animal targets.

**Trap Range:** The proposed trap range will include trap houses and an associated new parking area placed on the southern portion of the property, near the archery range. The trap houses will be constructed of concrete (possibly cinder block) and built into the ground. Sidewalks will be poured behind the trap houses to shoot from. The trap area will be leveled using a dozer, with the new parking area being leveled and having a gravel surface placed. A 30-foot by 40-foot storage building on a concrete slab will also be constructed near the trap shooting area for storage of equipment. Construction activities associated with the trap range will include leveling the ground with a dozer.

**Existing Building Updates:** The property has three existing buildings that require updating. The main building will be used as a Youth Education Center which will host hunter education classes and other outdoor recreational events. The main building renovation will include remodeling to make it usable year-round instead of only being available on a seasonal basis; in addition, placement of an outdoor, concrete, 20-foot by 36-foot patio will be installed adjacent to the building. The second building, known as the east building, has structural damage which will be repaired along with a remodel and winterization process. The eastern building will be used as an indoor archery range after the renovations. The third building, known as the west building, will be used for storage. Existing parking areas for these buildings will be re-graveled.

Please refer to **Figure 2, Project Overview** for a visual representation of the Proposed Action Alternative.

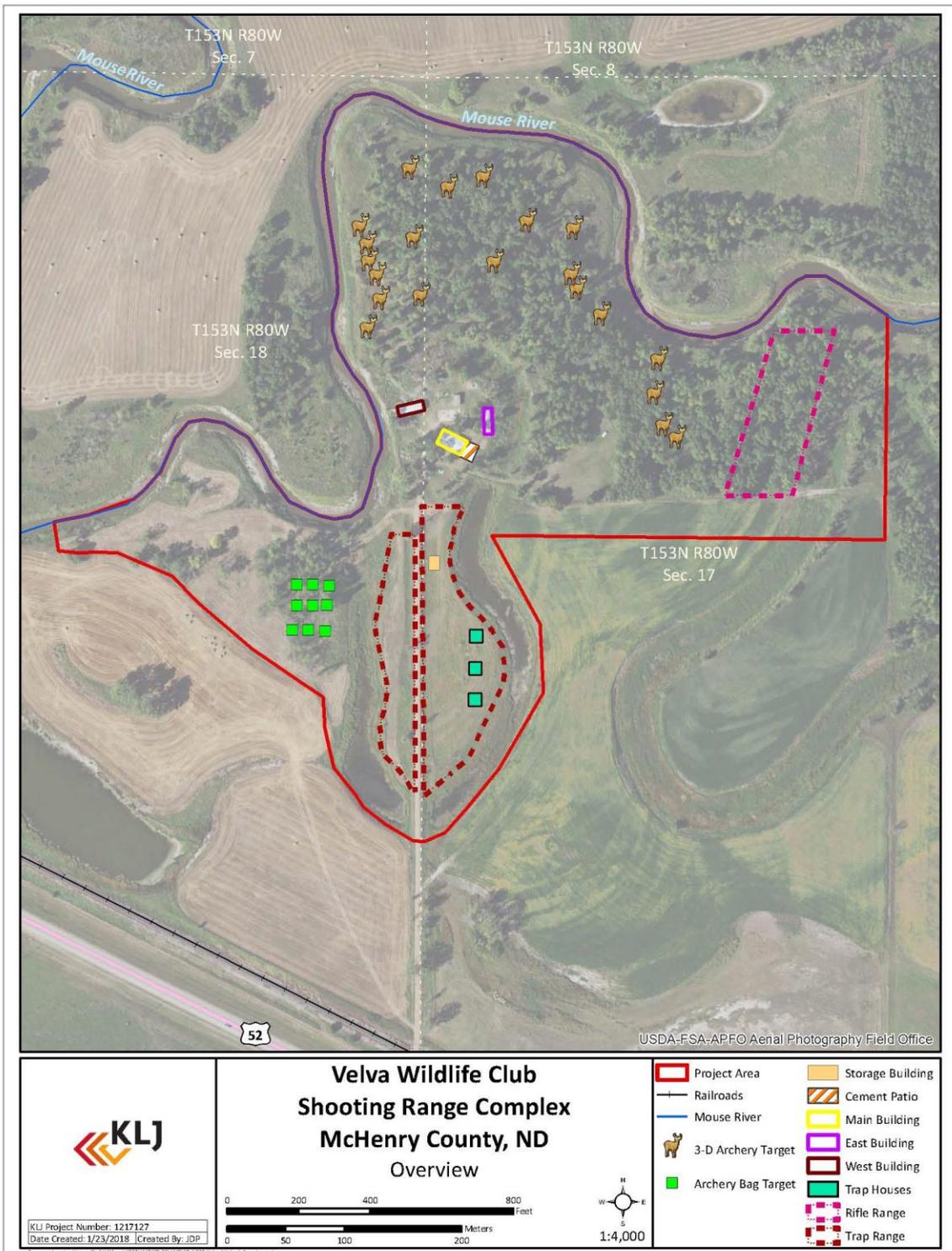


Figure 2, Project Overview

## 2.2 No Action Alternative

Under the No Action Alternative, updates to the existing property would not occur. None of the new facilities identified above would be provided. This will not meet the purpose and need as described in **Chapter 1** including a lack of a valuable social and recreational resource in the community.

## CHAPTER 3 AFFECTED ENVIRONMENT

---

*This chapter describes the current conditions of the physical, biological, cultural, economic, and social resources that could be affected by the implementation of the Proposed Action and No Action Alternative discussed in **Chapter 2**. In compliance with the requirements of NEPA, and implementing regulations and related guidance, the description of the affected environment focuses on those environmental resources potentially subject to impacts.*

### 3.1 Physical Environment and Land Use

The project is located within the Northern Glaciated Plains. More specifically, the Drift Plains and the Northern Black Prairie ecoregions of the Northern Glaciated Plains. The Northern Black Prairie represents a transitional zone with the introduction of boreal plant communities and colder climate. The Drift Plains consists of a subtle undulating topography with a thick layer of glacial till. Due to the topography and productive soil the area is largely cultivated and contains many temporary and seasonal wetlands.

The project area is located adjacent to the Mouse River. The river connects with the project area from the west and flows east towards the City of Velva. Due to the meandering nature of the Mouse River, multiple wetlands are found within the project area.

The current land use of the project area is riparian woodland with recreational development. The riparian area is largely located on the northwestern portion of the project area. This area is dominated by woody vegetation. The Club has existing buildings on the property and maintains a recreational trail that travels through the wooded area. Through observations of historical aerial imagery, it appears the southern end of the project area, where the trap shooting range is proposed, had previously been cultivated. The landscape of the surrounding area consists of agricultural land, the Hwy 52 transportation corridor and light residential development.

### 3.2 Water Resources

Surface water resources, such as wetlands, are located within the project area. The Mouse River is directly adjacent, following the project area boundary. The project area is located within the Mouse River Watershed, which is part of the Upper Mouse River Basin. Surface water will flow north into Canada and eventually drain into Lake Winnipeg.

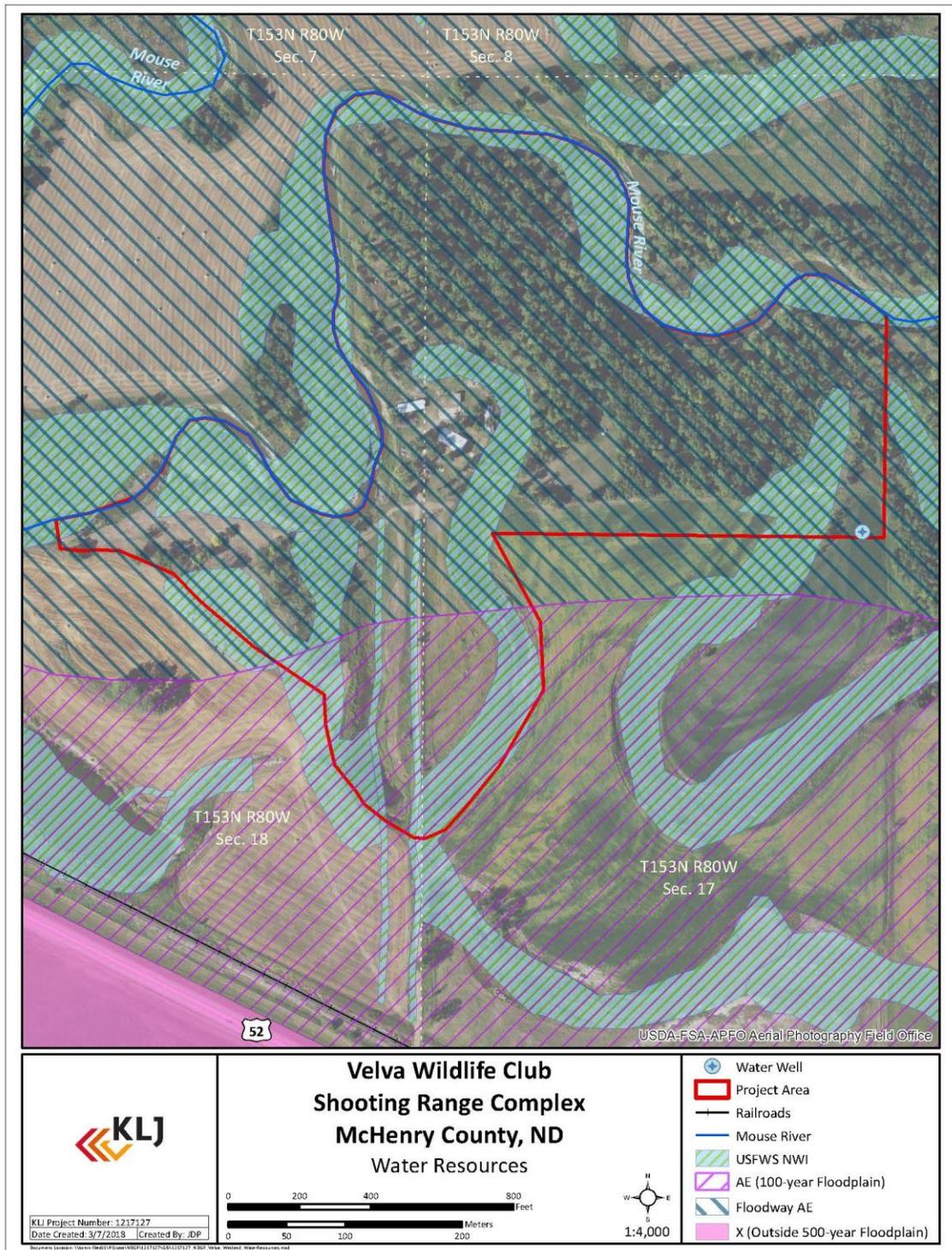
Section 10 of the Rivers and Harbors Act prohibits unauthorized obstruction or alteration of any navigable water of the US. It provides protection from work affecting the course, location, condition or physical capacity of such waters without appropriate authorization from the US Army Corps of Engineers (USACE). Several rivers in North Dakota are considered jurisdictional waterways under Section 10, however, the Mouse River is not.

Pursuant to Sections 404 and 401 of the Clean Water Act, filling or dredging wetlands under the jurisdiction of the USACE would require a permit from the USACE and water quality certificate from the US Environmental Protection Agency (USEPA). Wetlands that are not under the jurisdiction of the USACE are protected by Executive Order (EO) 11990, Protection of Wetlands.

A search of Federal Emergency Management Agency (FEMA) flood Map Service Center indicated the project area is located within a mapped regulatory floodway and 100-year floodplain. Most of the project area is located in the regulatory floodway of the Mouse River. The southern quarter of the project area is in a 100-year floodplain. Both the floodplain and floodway were designated in Zone AE. As defined by FEMA, Zone AE is a high-risk area for flooding. Development within floodplains and floodways is regulated through McHenry County, with floodway development potentially elevated to the North Dakota State Water Commission for evaluation and concurrence.

Groundwater is water that exists in the saturated zones beneath the Earth's surface and includes underground streams and aquifers. Sole-source aquifers are groundwater supplies that provide the only source of drinking water for a particular area, which are afforded protection by the Safe Drinking Water Act. There are no sole-source aquifers located near the project area. The North Dakota State Water Commission has documented one domestic groundwater well within the project area.

For an overview of the water resources located near or within the project area, please refer to **Figure 3, Water Resources**.



**Figure 3, Water Resources**

### 3.3 Soils

Web Soil Survey identified three soil types within the project area. A majority of the project area occurs on Velva fine sandy loam (F578A), and Velva loam (F576A). Together these soils account for approximately 77.8 percent of the project area and are both considered to be predominantly non-hydric soils. (NRCS, 2018). Ludden silty clay (F537A) makes up the remaining 14.3 percent of the soil in the project area. This soil is considered very poorly drained and is predominantly a hydric soil. This soil is associated with the wetlands in the project area. Please refer to **Figure 4**, and **Table 1**, for an overview of the identified soils within the project area.

**Table 1, Soils**

Map unit Symbol	Map Unit Name	Hydric Soil Rating	Acres in Project Area	Percent of Project Area
<b>F578A</b>	Velva fine sandy loam, moist, 0 to 2 percent slopes frequently flooded	Predominantly non-hydric	20.5	43.5%
<b>F576A</b>	Velva loam, moist, 0 to 2 percent slopes occasionally flooded	Predominantly non-hydric	16.2	34.3%
<b>F527A</b>	Ludden silty Clay, very poorly drained, 0 to 1 percent slopes, frequently flooded	Predominantly Hydric	6.8	14.3%
<b>F996</b>	Water	N/A	3.7	7.9%



### 3.4 Air Quality

In accordance with Clean Air Act (CAA) requirements, the air quality in a given area is measured by the concentration of criteria pollutants in the atmosphere. Under the CAA, USEPA has developed National Ambient Air Quality Standards (NAAQS) that represent the maximum allowable concentrations for six criteria pollutants:

- Ozone (O<sub>3</sub>),
- Carbon monoxide (CO),
- Nitrogen dioxide (NO<sub>2</sub>),
- Sulfur dioxide (SO<sub>2</sub>),
- Particulate matter (i.e., tiny particles of solid or semi-solid material) that is equal to or less than 10 microns in diameter (PM<sub>10</sub>), and equal to or less than 2.5 microns in diameter (PM<sub>2.5</sub>), and
- Lead (Pb).

The USEPA has delegated responsibility for many provisions of the CAA to the State of North Dakota, Department of Health. The Department of Health has also promulgated State Ambient Air Quality Standards (SAAQS) for criteria pollutants. The State of ND has set ambient air quality standards for hydrogen sulfide (H<sub>2</sub>S).

The ND air quality monitoring network consists of multiple individual sites located throughout the state that host equipment to measure pollution concentrations in the air. The closest ambient air quality monitoring site is located in Ryder, ND.

According to the Department of Health's 2017 Ambient Air Quality Monitoring Program Network Plan with Data Summary, the entire state of ND is in attainment for all criteria pollutants; meaning the measurements obtained of the criteria pollutants did not exceed federal or state standards in 2016.

### 3.5 Threatened and Endangered Species

In accordance with Section 7 of the Endangered Species Act (ESA) of 1973, 50 CFR Part 402, as amended, each federal agency is required to ensure the following two criteria: first, any action funded or carried out by such agency must not be likely to jeopardize the continued existence of any federally-listed endangered or threatened species or species proposed to be listed; second, no such action can result in the destruction or adverse modification of habitat of such species that is determined to be critical by the Secretary of the Interior.

A search through the USFWS Information for Planning and Consultation (IPaC) identified six species listed as threatened and endangered under the ESA (USFWS, 2017). Additionally, designated critical habitat for the Dakota skipper and piping plover was identified in McHenry County. Please refer to **Table 2, Threatened and Endangered Species**.

**Table 2, Threatened and Endangered Species**

Common Name	Scientific Name	Designation
<b>Mammals</b>		
Gray wolf	<i>Canis lupus</i>	Endangered
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened
<b>Birds</b>		
Piping Plover	<i>Charadrius melodus</i>	Threatened
Rufa Red Knot	<i>Calidris canutus rufa</i>	Threatened
Whooping Crane	<i>Grus Americana</i>	Endangered
<b>Insects</b>		
Dakota skipper	<i>Hesperia dacotae</i>	Threatened

The piping plover, rufa red knot and Dakota skipper are habitat specialists. Meaning they thrive in a very specific habitat type. The piping plover and rufa red knot prefer sparsely vegetated shorelines and alkali wetlands. While the Dakota skipper requires native prairie habitat with a variety of flowering forbs and bluestem grasses to complete their life cycle. Neither of these habitats were identified in the project area.

Gray wolves utilize a variety of habitat types, including forest, grassland and waterbodies. In North Dakota the species is considered rare with occasional sightings. No known breeding populations are known of in the state (NDGFD, 2016A).

The Western Population of the Northern Long-eared Bat (NLEB) occurs partially in ND, where the bats have been observed during the summer in the Turtle Mountains, Missouri River Valley and Badlands. The species utilize caves and crevices for hibernacula, (NDGFD, 2016B). While no hibernacula are known to exist in the state, this may be a function of lack of adequate survey data (USFWS, 2013). During the summer months, the species commonly roost singly or in colonies in the trees of forested areas, and to a lesser extent in caves, mines and the built environment. Given that the NLEB utilizes a variety of forested and interspersed non-forested areas during the summer maternity season, it is reasonable to assume the wooded habitat within the project area is suitable habitat for the species. In a statewide survey of bat distribution, the NLEB was observed within Theodore Roosevelt National Park and the Little Missouri National Grasslands (Gillam and Barnhart, 2011). These observations are over 100 miles from the project area. There have been no individual species recorded within the project area; however, there is limited data for the NLEB.

The whooping crane utilize shallow, seasonally and semi-permanent flooded palustrine wetlands for roosting and various cropland and emergent wetlands for feeding. The species migrates through ND along a band running from the south central to the northwest part of the state, known as the Central Flyway. During migration, whooping cranes are often recorded in riverine habitats, such as the Missouri River. According to USFWS data spanning from 1955 through the spring of 2009; eight confirmed whooping crane sightings were reported in McHenry County. The closest sighting to the project area was recorded 4.91 miles northwest in Ward County.

### 3.6 Fish and Wildlife Resources

Protection for migratory birds is provided under the Migratory Bird Treaty Act. The Act regulates impacts on migratory birds, such as taking, direct mortality, habitat degradation, and displacement of individual birds. Protection for bald eagles and golden eagles is also provided under the Bald and Golden Eagle Protection Act. The Act was written with the intent to protect and preserve bald and golden eagles, both of which are treated as species of concern within the Department of the Interior.

Due to the proximity of the Mouse River and other surface water bodies, the project area may provide habitat for a large variety of avian species. The woody vegetation provides nesting and roosting locations while the river and wetlands would attract waterfowl species. Typical waterfowl species such as the mallard, Canadian goose, sandhill crane, and blue-winged teal would be expected to utilize the waterbodies found within the project area. Prey species such as the ferruginous hawk, red-tailed hawk, and eagles could use the trees as roosting locations while hunting. Ferruginous hawks and bald eagles are also known to use cottonwoods found near waterways as potential nesting habitat. Habitat for bald eagles does exist within the project area; however, there are currently no known nests in the vicinity of the project area.

The location of the project area, being adjacent to water resources and containing a mix of vegetation cover with mixed grass prairie and riparian woodlands, provides a variety of available resources that can support a number of fish and wildlife species.

The riparian areas within the project area could support many types of mammals. According to NDGFD, habitats of North Dakota, *Riparian Areas*, many animal species inhabit riparian woodlands. Species such as beavers, raccoons, fox, squirrels, masked shrew, and white-tailed deer to name a few. These species utilize the trees and river for shelter and food.

Additionally, the Mouse River, directly adjacent to the project area, does provide habitat for fish. NDGFD has stocked the Mouse River near Minot, ND with 300,000 fry-sized walleyes. Other species such as yellow perch, northern pike, white sucker, black bullhead, goldeye, brown bullhead and burbot, may also be found in the river.

### 3.7 Vegetation

The existing vegetation in the northern portion of the project area is dominated by woody vegetation. This area is within the riparian zone of the Mouse River. Typical riparian vegetation in ND consists of Cottonwood, Green ash, box elder, American elm, hackberry, and lindens. The understory can be dominated by smaller shrub species such as redosier dogwoods and black current.

The southern portion of the project area is dominated by prairie and wetland vegetation. The location of the trap shoot range appears to have been previously disturbed. As a result, it is likely dominated by introduced cool season grass species such as Kentucky bluegrass and smooth brome grass. The wetlands would be dominated by hydrophytic vegetation such as sedges and rushes. Typical wetland vegetation such as prairie cordgrass and reed canary grass would likely be observed around the perimeter of the wetlands.

### 3.8 Noise

Noise is defined as any sound that is undesirable because it interferes with communication, is intense enough to damage hearing, or is otherwise annoying. Human response to increased sound levels varies according to the source type, characteristics of the sound source, distance between source and receptor, receptor sensitivity, and time of day. Affected receptors are specific (e.g., schools, homes) or broad (e.g., nature preserves or designated districts) areas in which occasional or persistent sensitivity to noise above ambient levels exists. There are no noise receptors within the project area. Seven residences are located within a one-mile radius of the project area. These residences would be considered noise receptors. The closest noise receptor to the project area is a residential home located south of Hwy 52, approximately 1,300 feet from the project area boundary.

Noise levels within the project area are considered generally low as there is currently minimal activity. The primary noise contributor in the immediate area is from traffic on Hwy 52. There is also an active Canadian Pacific Railway that parallels Hwy 52.

Decibel readings were taken from a residential home approximately 1,400 feet from the nearest proposed shooting range to assess existing noise levels. Decibel readings were analyzed for four scenarios from the residence; (1) no traffic and no gun fire, (2) car traffic, (3) truck traffic and (4) no traffic with gun fire (shotgun with trap load). Please refer to **Table 3, Existing Sound Levels** for the decibel readings.

**Table 3, Existing Sound Levels**

Environment	Sound Level (Decibels)
No Traffic No Gun fire	37-40
Car Traffic	56-64
Truck Traffic	63-67
No Traffic With Gun fire	48-51

The human ear can barely perceive a noise level change of 3 decibels but can readily perceive a noise level change of 5 decibels. The human ear perceives a noise level change of 10 decibels as a doubling in noise. Please refer to **Table 4, Common Indoor and Outdoor Sound Sources** for a summary of the estimated sound levels for common indoor and outdoor sounds.

**Table 4, Common Indoor and Outdoor Sound Sources**

Sound Sources	Sound Level
<b>Indoor Sources</b>	
Rock Band at 16 feet	110
Inside New York Subway Train	100
Food Blender at 3 feet	90
Garbage Disposal at 3 feet	80
Shouting at 3 feet	75
Vacuum Cleaner at 10 feet	70
Normal Speech at 3 feet	65
Quiet Conversation at 3 feet	55
Dishwasher in Next Room	50
Empty Theater or Library	40
Quiet Bedroom (Nighttime)	30
Empty Concert Hall	25
Broadcast and Recording Studios	15
Threshold of Human Hearing	3
<b>Outdoor Sources</b>	
Jet Over-flight at 1,000 feet	105
Gas Lawn Mower at 3 feet	95
Diesel Truck at 50 feet	85
Noisy Urban Area (Daytime)	80
Gas Lawn Mower at 100 feet	70
Suburban Commercial Area	65
Quiet Urban Area (Daytime)	55
Quiet Urban Area (Nighttime)	45
Quiet Suburb (Nighttime)	35
Quiet Rural Area (Nighttime)	25
Rustling Leaves	20
Reference Pressure Level	0
<i>Source: FHWA 1980</i>	

### 3.9 Cultural Resources

Federal historic preservation laws provide a mandate and direction for the identification, evaluation, and protection of cultural resources that may be affected by Federal undertakings. NEPA requires Federal agencies to consider the potential effects to the “human environment” – an all-encompassing term that has been interpreted to include historical and archaeological resources. Section 106 of the National Historic Preservation Act (NHPA) and accompanying implementation regulations specified in 36 CFR 800 establish a

cooperative consultation process and procedures that enable Federal agencies to identify historic properties that may be directly or indirectly affected by a proposed Federal undertaking.

A Class III, cultural resource inventory was conducted within the project area and found “No Historic Properties Affected”. The ND State Historical Preservation Office reviewed and concurred with this determination in a December 2017 letter.

### 3.10 Socioeconomic

Socioeconomic conditions depend on the character, habits and economic conditions of people living in proximity to the project area.

The proposed project is located just outside of the city of Velva, ND in McHenry County. According to 2016 U.S. Census data (USCB, 2016), McHenry County has a total population of 5,912 people. Approximately 97.1 percent of the population identifies as white. The second largest race is American Indian accounting for 1.4 percent of the total population.

McHenry county has an unemployment rate of 1.7 percent and has a median household income of 60,000 dollars with 10 percent of the population whose income in the past 12 months is below the poverty level. In contrast the United States has an unemployment rate of 4.7 percent, median household income of 55,000 dollars and 15.1 percent of the population whose income in the past 12 months is below the poverty level (USCB, 2016).

The economy in Velva, along with McHenry County, primarily depends on agriculture and energy development. According to the City of Velva website, the community’s economy is thriving with recent and proposed energy developments, including wind turbines and biodiesel plants.

## CHAPTER 4 ENVIRONMENTAL CONSEQUENCES

---

*The purpose of this Chapter is to identify the direct, indirect and cumulative impacts for the Proposed Action and the No Action Alternative. It also identifies potential avoidance, minimization, and mitigation measures for adverse impacts.*

### 4.1 Physical Environment and Land Use

#### **Proposed Action Alternative**

The proposed shooting range complex will permanently alter the land use of the project area. The land would be further developed to accommodate the needs of the Club. Approximately 1.88 acres of riparian woodland would be removed and replaced with a rifle shooting range. An additional 4.0 acres would be converted from grassland to a trap shooting range.

#### **No Action Alternative**

Under the No Action Alternative, construction activities would not occur. Therefore, direct and indirect impacts to the physical environment and land use would not occur.

### 4.2 Water Resources

#### **Proposed Action Alternative**

Direct impacts to surface water, including the Mouse River and wetlands, were avoided by the Proposed Action Alternative. Steps were taken during the development of the project layout to ensure the proposed facilities were positioned to avoid surface waters. If wetland impacts cannot be avoided, USACE coordination would be required.

Construction activities would result in ground disturbance and removal of vegetation that could result in erosion of soils and transport of sediment into surface water, during stormwater events. Construction activities have the potential to result in accidental spills or inadvertent leaks of vehicle or other fluids. As such, the Proposed Action Alternative may result in temporary, minor, indirect water quality impacts due to sedimentation and fluid releases.

Best management practices (BMPs) would be implemented to minimize water quality impacts, such as re-seeding inactive areas, erosion control mats, and/or silt fence. These practices would be incorporated into a NPDES Construction General Permit, if the Proposed Action disturbs one acre or land of more.

The use of lead bullets at the rifle range does pose a threat to the water quality of the Mouse River. The lead bullets have the potential to oxidize if exposed to favorable soil and water conditions and leach into the river or be shot directly into the water way. To minimize this threat, a berm will be constructed on the end of the rifle range to capture bullets before making it to the Mouse River. The rifle range and berm will also be planted with a grass seed mixture. The grass will limit surface runoff to the river. In addition, a vegetative buffer will be maintained between the Mouse River and the rifle range. The Club plans to perform lead recovery on the berm every 10 to 15 years depending on use.

Additionally, the Club has committed to enforcing the use of lead-free ammunition and utilizing non-toxic clay pigeons on the proposed trap range. This will also minimize the threat of lead contamination to surrounding water resources.

Floodplains and floodways cannot be avoided; therefore, the Club applied for and received a Floodplain Development Permit on December 5, 2017.

Construction activities would avoid the one existing groundwater well within the project area.

#### **No Action Alternative**

Under the No Action Alternative, construction activities would not occur. Therefore, direct and indirect impacts to water resources would not occur.

### **4.3 Soils**

#### **Proposed Action Alternative**

Surface disturbance caused by construction activities would result in the removal of vegetation from the soil surface. All construction activities would occur on non-hydric soils. Removal of vegetation can damage soil crusts and destabilize the soil. As a result, the soil surface could become more prone to accelerated erosion by wind and water.

BMPs would be implemented to minimize soil impacts, such as re-seeding inactive areas, erosion control mats, and/or silt fence.

The use of heavy equipment may result in soil compaction. When soil is compacted, it decreases permeability and increases surface runoff, especially in silt and clay soils. In addition, soils may be impacted by mixing of soil horizons. Soil compaction and mixing of soil horizons would be minimized by topsoil segregation.

Construction activities have the potential to result in accidental spills or inadvertent leaks of vehicle or other fluids. As such, the Proposed Action Alternative may result in temporary, minor, indirect soil impacts due to fluid releases.

The use of lead bullets at the rifle range does pose a threat to soil quality. The lead bullets have the potential to oxidize if exposed to favorable soil and water conditions and contaminate the soil. To minimize this threat, the rifle range and berm will be planted with a grass seed mixture and the Club plans to perform lead recovery on the berm every 10 to 15 years depending on use.

Additionally, the Club has committed to enforcing the use of lead-free ammunition and utilizing non-toxic clay pigeons on the proposed trap range. This will also minimize the threat of lead contamination to the soil.

#### **No Action Alternative**

Under the No Action Alternative, construction activities would not occur. Therefore, direct and indirect impacts to soils would not occur.

## 4.4 Air Quality

### **Proposed Action Alternative**

A minimal increase in pollutants would be expected due to construction equipment. These emissions are not anticipated to result in violations of federal or state standards

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to air quality would not occur.

## 4.5 Threatened and Endangered Species

### **Proposed Action Alternative**

The Mouse River's shoreline is densely vegetated with a variety of woody plant species and the narrow channel is devoid of sandy shorelines or sandbars to be utilized as potential nesting habitat for the rufa red knot or piping plover. The project area is also devoid of native prairie habitat that would be suitable for the Dakota skipper due to the dominance of woody vegetation. The Proposed Action Alternative will have no effect on the piping plover, rufa red knot or Dakota skipper.

It is unlikely that gray wolves would inhabit the project area due to the abundance of existing human disturbances. Any wolf sighted near the project area would be considered transient and therefore; the Proposed Action Alternative will have no effect on the gray wolf.

The Proposed Action Alternative would result in the removal of 1.88 acres of trees. The trees in the project area could provide the NLEB with suitable habitat; therefore, the Proposed Action Alternative may affect, but not likely to adversely affect the NLEB. To avoid potential impacts to the NLEB, no tree removal will occur between June 1 and July 31. The NLEB 4(d) Rule Streamlined Consultation Form was completed and submitted to the USFWS. Additionally, to mitigate these impacts, the Club plans to plant trees around the trap shooting range and the archery range, within 2 years of completing the shooting range complex.

Suitable habitat in the form of palustrine wetlands and cropland does exist within and near the project area. The abundance of existing human disturbances within and near the project area, including buildings, roadways, railroads, residences and overhead utility lines, would likely deter whooping cranes from utilizing the project area. Therefore, the Proposed Action Alternative will have no effect on the whooping crane.

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to threatened and endangered species would not occur.

## 4.6 Fish and Wildlife Resources

### **Proposed Action Alternative**

Best management practices (BMPs) as previously mentioned would be implemented to minimize water quality impacts; therefore, the Proposed Action Alternative is not anticipated to have a direct or indirect impact on fish species that may inhabit the Mouse River.

All reasonable, prudent and effective measures to avoid the taking of migratory bird species would be implemented during construction and operation activities.

Due to the presence of suitable habitat within the project site for many avian and wildlife species, construction activities, including the removal of approximately 1.88 acres of trees, may impact individuals by displacing animals from suitable habitat. As a result, wildlife may be forced to utilize marginal habitats or relocate to unaffected habitats where population density and competition increase. Consequences may include lower survival, lower reproductive success, lower recruitment, and lower carrying capacity leading ultimately to population-level impacts. Therefore, the proposed project may affect individuals and populations of wildlife species but is not likely to result in a trend towards listing of any of the species identified. To mitigate these impacts, the Club plans to plant trees around the trap shooting range and the archery range within 2 years of completing the shooting range complex. The Club also plans to plant annual food plots to increase the usefulness of the habitat of the area. Currently, the Club has a verbal agreement with the neighboring land owner to use a 9-acre piece of his property for this purpose. The landowner also has expressed interest in donating an additional 52 acres of adjoining farm land to the Club for use of planting trees and food plots to release pheasants and potentially turkeys for youth hunting areas.

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to fish and wildlife species would not occur.

## 4.7 Vegetation

### **Proposed Action Alternative**

As part of construction of the shooting range complex, vegetation will be cleared in the rifle and trap shooting ranges. The rifle range will clear approximately 1.88 acres of trees. Once construction of the rifle range is completed the disturbed land would be seeded with a grass seed mixture to stabilize the soil and re-establish vegetation. To mitigate these impacts, the Club plans to plant trees around the trap shooting range and the archery range within 5 years of completing the shooting range complex.

The trap shooting range will disturb approximately 4.00 acres as the area will be leveled during construction. This area was previously cultivated farm land. The area around the trap shooting houses would be reseeded with a grass mixture once construction is completed to stabilize the soil and re-establish vegetation.

No vegetation would be disturbed with the placement of the archery targets.

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to vegetation would not occur.

## 4.8 Noise

### **Proposed Action Alternative**

Construction activities would result in temporary noise due to operation of construction equipment.

Based on the decibel readings during the noise assessment conducted from a nearby residence, a recurring increase in noise levels would be expected during the use of the Proposed Action Alternative.

To mitigate the increased noise from the shooting range complex the Club proposes to construct sound barriers and limit the use of the shooting range to specific times. A sound barrier will be installed on the back side of the rifle range. This will help deflect noise away from the residences to the south. Trees will also be planted around the trap shooting range. The trees will help absorb the sound from the gun fire and trap shooting. Noise from the shooting range complex will also be limited to 2-3 days a week. Most weekends the range will be closed but will be open occasionally on weekends for special events.

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to noise would not occur.

## 4.9 Cultural Resources

### **Proposed Action Alternative**

Given all construction activities take place within the inventory area, the Proposed Action Alternative would not result in any adverse impacts to historical, archaeological, architectural or cultural resources.

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to cultural resources would not occur.

## 4.10 Socioeconomic

### **Proposed Action Alternative**

Considering the distance of the closet shooting range, the Proposed Action Alternative has the potential to draw individuals from around the region to utilize the shooting range complex or attend Hunter Education Courses. This in turn could indirectly impact the local economy from fuel or food purchases from local businesses.

### **No Action Alternative**

Under the No Action Alternative, direct and indirect impacts to socioeconomics would not occur.

## 4.11 Cumulative Impacts

Cumulative impacts result from the incremental consequences of an action “when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions” (40 CFR 1508.7). Effects of an action may be minor when evaluated in an individual context, but the effects can add to other disturbances and collectively may lead to a measurable environmental change. By evaluating the impacts of the Proposed Action Alternative with the effects of other actions, the relative contribution of the Proposed Action Alternative to a projected cumulative impact can be estimated.

The study area for cumulative impact analysis includes the same project area and surrounding areas analyzed for each resource category. Past, present and reasonably foreseeable actions considered for the cumulative impact analysis includes the following:

- Hwy 52 construction and operation
- Agricultural operations
- Canadian Pacific Railway construction and operation
- Velva Biodiesel plant construction and operation
- ADM Canola Plant construction and operation
- Velva Wind Farm construction and operation

Cumulative impacts are most likely to occur when there is an overlapping geographic location and a coincidental or sequential timing of events. Because the environmental analysis required under NEPA is forward-looking, the aggregate effect of past actions is analyzed to the extent relevant and useful in analyzing whether the reasonably foreseeable effects of a proposed action could have a continuing, additive, and significant relationship to those effects.

The Proposed Action Alternative has been evaluated in conjunction with other past, present and reasonably foreseeable future actions to determine whether cumulative impacts on the environment would occur. No significant, adverse cumulative impacts were identified in the cumulative impact analysis. The Proposed Action Alternative would have no impact on cultural resources thus would not contribute to cumulative impacts on cultural resources. Therefore, cultural resources are not included in this cumulative impact analysis.

### **Physical Environment and Land Use**

The proposed project would convert woodland and grassland into a shooting range complex; however, the facilities have been positioned to avoid sensitive land uses. The overall project footprint is minor in comparison to other past, present and foreseeable actions. Therefore, the contribution of the proposed project to land conversion is not expected to be significant.

### **Water Resources**

During construction activities associated with the Proposed Action Alternative, water resources have the potential of being contaminated with sediment, equipment fluids or lead; however, BMPs would be utilized to minimize the threat. All construction and operation activities associated with any project must follow similar BMPs as regulated by local, state and/or federal officials. Therefore, the Proposed Action Alternative would not contribute to an overall long-term, cumulative impact to water resources in the area.

### **Soils and Vegetation**

During construction activities associated with the Proposed Action Alternative, vegetation would be removed; however, the disturbed land would be seeded with a grass seed mixture to stabilize the soil and re-establish vegetation. All construction activities associated with any ground disturbing project must follow similar BMPs as regulated by local, state and/or federal officials. Therefore, the Proposed Action would not contribute to an overall long-term, cumulative loss of soil or vegetation in the area.

### **Air Quality**

Air emissions related to construction and operation of past, present, or reasonably foreseeable actions when added to emissions resulting from the proposed project, are anticipated to have a negligible cumulative impact. North Dakota is currently below the state and National Ambient Air Quality Standards, and it is anticipated that mobile air source toxics from construction equipment for the proposed project and other projects, as well as air emissions related to biodiesel plant operations, would be minor. Therefore, the contribution of the proposed project to air emissions is not expected to be significant.

### **Threatened and Endangered Species and Fish and Wildlife Resources**

Under the Proposed Action Alternative, potential suitable habitat for the NLEB, along with various avian and wildlife species, would be lost. Ongoing developments have the potential to threaten these species and force them to utilize marginal habitats or relocate. By planting additional trees within the project area, habitat loss would be minimized; therefore, the contribution of the proposed project is not expected to be significant.

### **Noise**

Noise from construction activities associated with the Proposed Action Alternative and other actions would be temporary. Noise from gun fire associated with Proposed Action Alternative combined with noise from energy developments and infrastructure would result in a cumulative impact on the noise environment. Noise associated with gun fire would be noticeable; however, minimization measures proposed by the Club will reduce the cumulative impact. Therefore, the increased noise from the Proposed Action Alternative would not be expected to result in significant, cumulative impacts.

### **Socioeconomics**

The Proposed Action Alternative, along with other developments in the area, are anticipated to have a beneficial impact to the City of Velva and McHenry County. Qualified individuals may find employment through energy development and increase their individual incomes. Additionally, the Proposed Action

Alternative and developments may result in indirect economic benefits to local business owners resulting from construction workers or visitors expending money on food, lodging and other necessities. The contribution of the proposed project is expected to be beneficial; however, it is not expected to be significant.

## CHAPTER 5 AGENCY CONSULTATION AND COORDINATION

---

The following is a list of agencies (Federal, State, and Local), that were consulted regarding the proposed project:

- Federal
  - United States Fish and Wildlife Service
- State
  - North Dakota Game and Fish Department
  - North Dakota State Water Commission
  - State Historical Society of North Dakota
- Local
  - McHenry County Board of Commissioners
  - McHenry County Zoning Board

## CHAPTER 6 PUBLIC INVOLVEMENT

---

Multiple public meetings were held to allow for public input on the proposed project. The project was discussed at a McHenry County Board of Commissioners meeting and the McHenry County Zoning Commission meeting. In addition, the Club invited the public to attend an open house to discuss the project and answer any questions about the Shooting Range Complex.

A public hearing was held with the McHenry County Zoning Commission on August 24, 2017. The hearing was held to zone the project area as a conditional use in a recreational district. Nine board members and ten community members were present during the meeting. Members of the community expressed concerns about noise and the possible de-valuation of their home. The Chairman of the commission suggested placing conditions on the project before approval of the conditional use permit. The conditions included;

- The shooting range complex must comply with all federal, state and local laws in regard to the management of waste lead from bullets to protect groundwater contamination.
- Limit the hours of operation from 8:00 Am to 10:00 PM; the range must be constructed in accordance with national standards to ensure safety of the public.
- The range must meet NRA design standards. The States Attorney also recommended the requirement of an insurance policy with verbiage that identifies the county and holds the county harmless.

The conditional use permit was approved with the aforementioned conditions with a 7-1 vote by board members.

An additional meeting was held with the McHenry County Board of Commissioners on September 5, 2017. The meeting was attended by 5 commissioners and one community member. The board reviewed a letter in opposition of the shooting range complex. The board was presented with a request for an amendment to the county zoning ordinance to add sport shooting ranges as a conditional use in a recreational district. The plans for the shooting range complex were then reviewed. A motion was made to approve the conditional use permit with the commitments made by the County Zoning Commission in addition to the following conditions:

- Rifles used on the shooting range must not exceed 300 caliber.
- No muzzle breaks will be allowed at the shooting range.
- Vegetation must be planted to minimize noise levels.

The conditional use permit was approved with a 5-1 vote by the Commissioners.

The Club also held an open house to provide details about the proposed shooting range complex. The open house was held on February 13, 2018 from 5:00 to 7:00 PM at Verendrye Electric in Velva, ND. The meeting was advertised to the public in the Mouse River Journal. Representatives from the Club and NDGFD were present to provide project details and answer any questions. One member of the public showed up to show support for the project.

## CHAPTER 7 LIST OF PREPARERS

---

A list of individuals with the primary responsibility for conducting this study, preparing the documentation, and providing technical reviews is contained in **Table 5, Preparers**.

*Table 5, Preparers*

<i>Affiliation</i>	<i>Name</i>	<i>Title</i>	<i>Role</i>
<b>US Fish &amp; Wildlife Service</b>	<b>Amanda Horvath</b>	<b>Fish and Wildlife Biologist</b>	<b>Document review</b>
<b>ND Game &amp; Fish Department</b>	Corey Wentland	Business Manager	Document review
	Marty Egeland	Education Supervisor	Document review
	Kim Kary	Division Chief	Document review
<b>KLJ</b>	Ashley Ross	Environmental Planner	Project Manager, Senior review
	Tyler Conley	Environmental Planner	Document author, Impact assessment
	Jeff Price	GIS Specialist	Exhibit creation
<b>Velva Wildlife Club</b>	Travis Leier	Club President	Document review

## CHAPTER 8 REFERENCES

---

- Blahd, H. Harmful Noise Levels. 2015, [www.webmd.com/brain/tc/harmful-noise-levels-topic-overview](http://www.webmd.com/brain/tc/harmful-noise-levels-topic-overview).
- FEMA (2017) FIRM Flood Insurance Rate Map, McHenry County, North Dakota. Panel 9030 of 1450. Retrieved from: <https://msc.fema.gov/portal>
- Federal highway Administration, C. Corbisier. (FHWA, 2017)., Living with Noise. Retrieved from: <https://www.fhwa.dot.gov/publications/publicroads/03jul/06.cfm>
- Environmental Protection Agency (EPA, 2017), Best management Practices for Lead at Outdoor Shooting Ranges. Retrieved from: [https://www.epa.gov/sites/production/files/documents/epa\\_bmp.pdf](https://www.epa.gov/sites/production/files/documents/epa_bmp.pdf)
- Environmental Protection Agency (EPA, 2017A) Ecoregions of North Dakota and South Dakota. Retrieved from [ftp://newftp.epa.gov/EPADataCommons/ORD/Ecoregions/sd/ndsd\\_front.pdf](ftp://newftp.epa.gov/EPADataCommons/ORD/Ecoregions/sd/ndsd_front.pdf)
- Environmental Protection Agency (EPA, 2017B) North Dakota Ambient Monitoring Network Plan with Data Summary.
- Gillam, E and E Barnhart. 2011. Distribution and Habitat Use of the Bats of North Dakota.
- North Dakota Department of Health. (2017). Annual Report: North Dakota Air Quality Monitoring Data Summary 2016. Bismarck, ND: North Dakota Department of Health.
- North Dakota Game and Fish Department, (NDGFD, 2016A) Gray Wolf. Retrieved from: <https://gf.nd.gov/wildlife/id/carnivores/wolf>
- North Dakota Game and Fish Department, (NDGFD, 2016B) Gray Wolf. Retrieved from: <https://gf.nd.gov/wildlife/id/bats/northern-long-eared>
- North Dakota Studies Project. Gwyn S. Herman, Laverne A. Johnson. (2008). Habitats of North Dakota Riparian Areas.
- Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed [02/05/2018]
- United States Census Bureau (2016) American Community Survey. McHenry County, North Dakota, Economic Characteristics. Retrieved from: <https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2015/>
- United States Census Bureau (2016) American Community Survey. McHenry County, North Dakota, Social Characteristics. Retrieved from: <https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2015>
- USFWS. 2013. Federal Register, 50 CFR Part 17, Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition To List the Eastern Small- Footed Bat and the Northern Long-Eared Bat as Endangered or Threatened Species; Listing the Northern Long-Eared Bat as an Endangered Species; Proposed Rule. Accessed online January 24, 2014. Retrieved from <http://www.gpo.gov/fdsys/pkg/FR-2013-10-02/pdf/2013-23753.pdf>.
- United States Fish and Wildlife Service. (2017): Information for Planning and Consultation." IPaC: Home, [ecos.fws.gov/ipac/](http://ecos.fws.gov/ipac/).
- Velva Community Development Corporation (2018). Business in Velva. Retrieved from: <http://velvand.com/business-in-velva/>

# Appendix A

Correspondences

## Wentland, Corey C.

---

**From:** Travis Leier <travis.leier@gmail.com>  
**Sent:** Wednesday, November 15, 2017 6:18 PM  
**To:** Haynes, Dionne F.  
**Cc:** Wentland, Corey C.; Carpenter, Darlene K.; Kary, Kim K.; Egeland, Marty E.; Link, Greg W.  
**Subject:** Elevation Certificate  
**Attachments:** Elevation Certificate.pdf

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hey Dionne,

attached you'll find our elevation certificate from Ackerman Surveying. You'll see on there that the BFE is 1517.7 and the elevation of our building at the floor is 1518.57 by my calculations we are 1.54 inches off...Please tell me we are close enough to not need a floodproofing certificate? haha

Feel free to call me tomorrow with any info 701-240-3690.

Thanks!

# ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION						FOR INSURANCE COMPANY USE
A1. Building Owner's Name Velva Wildlife Club CD					Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1901 Highway 52 West					Company NAIC Number:	
City Velva		State North Dakota		ZIP Code 58790		
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Outlot 594 of the NW1/4NW1/4 Section 17 & Outlot 598 of the NE1/4NE1/4 Section 18, T-153-N, R-80-W, McHenry Co. ND						
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Non-Residential</u>						
A5. Latitude/Longitude: Lat. <u>48° 04' 39.48"</u> Long. <u>100° 59' 35.12"</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983						
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.						
A7. Building Diagram Number <u>1A</u>						
A8. For a building with a crawlspace or enclosure(s):						
a) Square footage of crawlspace or enclosure(s) <u>N/A</u> sq ft						
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>						
c) Total net area of flood openings in A8.b <u>N/A</u> sq in						
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
A9. For a building with an attached garage:						
a) Square footage of attached garage <u>N/A</u> sq ft						
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>						
c) Total net area of flood openings in A9.b <u>N/A</u> sq in						
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION						
B1. NFIP Community Name & Community Number Velva, Township of 380310			B2. County Name McHenry		B3. State North Dakota	
B4. Map/Panel Number 0930	B5. Suffix F	B6. FIRM Index Date 07-18-2011	B7. FIRM Panel Effective/ Revised Date 07-18-2011	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 1517.7	
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____						
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____						
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA						

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1901 Highway 52 West			Policy Number:
City Velva	State North Dakota	ZIP Code 58790	Company NAIC Number

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:     Construction Drawings\*     Building Under Construction\*     Finished Construction

\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: OPUS DERIVED                      Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929     NAVD 1988     Other/Source: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- |   |                |  |                                 |
|---|----------------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)   | <u>1518.57</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor   | <u>N/A</u>     | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)   | <u>N/A</u>     | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| d) Attached garage (top of slab)  | <u>N/A</u>     | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building<br>(Describe type of equipment and location in Comments) | <u>1518.57</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)  | <u>1517.70</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)   | <u>1518.40</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                                  | <u>N/A</u>     | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?     Yes     No                       Check here if attachments.

Certifier's Name Jason E. Main, PLS	License Number LS-8134	
Title Professional Land Surveyor		
Company Name Ackerman Surveying & Associates, Inc.		
Address 1907 17th Street SE		
City Minot	State North Dakota	ZIP Code 58701



Signature <i>Jason E. Main</i>	Date 11-09-2017	Telephone (701) 838-0786	Ext. 160
-----------------------------------	--------------------	-----------------------------	-------------

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

Equipment: Gas Water Heater on slab SE quadrant of building.  
Furnace not present.

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1901 Highway 52 West			Policy Number:
City Velva	State North Dakota	ZIP Code 58790	Company NAIC Number

## SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

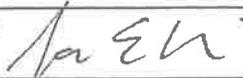
- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is \_\_\_\_\_  feet  meters  above or  below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E3. Attached garage (top of slab) is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is \_\_\_\_\_  feet  meters  above or  below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  Yes  No  Unknown. The local official must certify this information in Section G.

## SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name  
Jason E. Main, PLS

Address 1907 17th Street SE	City Minot	State North Dakota	ZIP Code 58701
--------------------------------	---------------	-----------------------	-------------------

Signature 	Date 11-09-2017	Telephone (701) 838-0786
--	--------------------	-----------------------------

Comments

Check here if attachments.

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1901 Highway 52 West			Policy Number:
City Velva	State North Dakota	ZIP Code 58790	Company NAIC Number

## SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1.  The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.  A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3.  The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for:       New Construction     Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_
- G9. BFE or (in Zone AO) depth of flooding at the building site: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_
- G10. Community's design flood elevation: \_\_\_\_\_  feet  meters Datum \_\_\_\_\_

Local Official's Name	Title
Community Name	Telephone
Signature	Date

Comments (including type of equipment and location, per C2(e), if applicable)

Check here if attachments.

# BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008

Expiration Date: November 30, 2018

## ELEVATION CERTIFICATE

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1901 Highway 52 West			Policy Number:
City Velva	State North Dakota	ZIP Code 58790	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

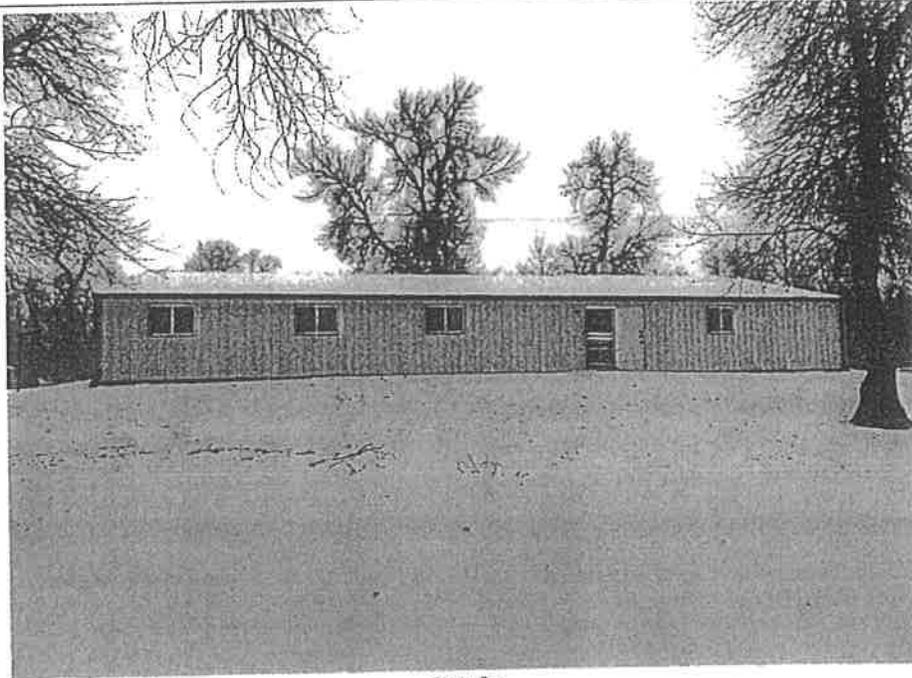


Photo One

Photo One Caption Front View (Photo from the SW)

Clear Photo One



Photo Two

Photo Two Caption Rear View (Photo from the NE)

Clear Photo Two

# BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008  
Expiration Date: November 30, 2018

## ELEVATION CERTIFICATE

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1901 Highway 52 West			Policy Number:
City Velva	State North Dakota	ZIP Code 58790	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo Three

Photo Three Caption Right Side View (Photo from the SE)

Clear Photo Three



Photo Four

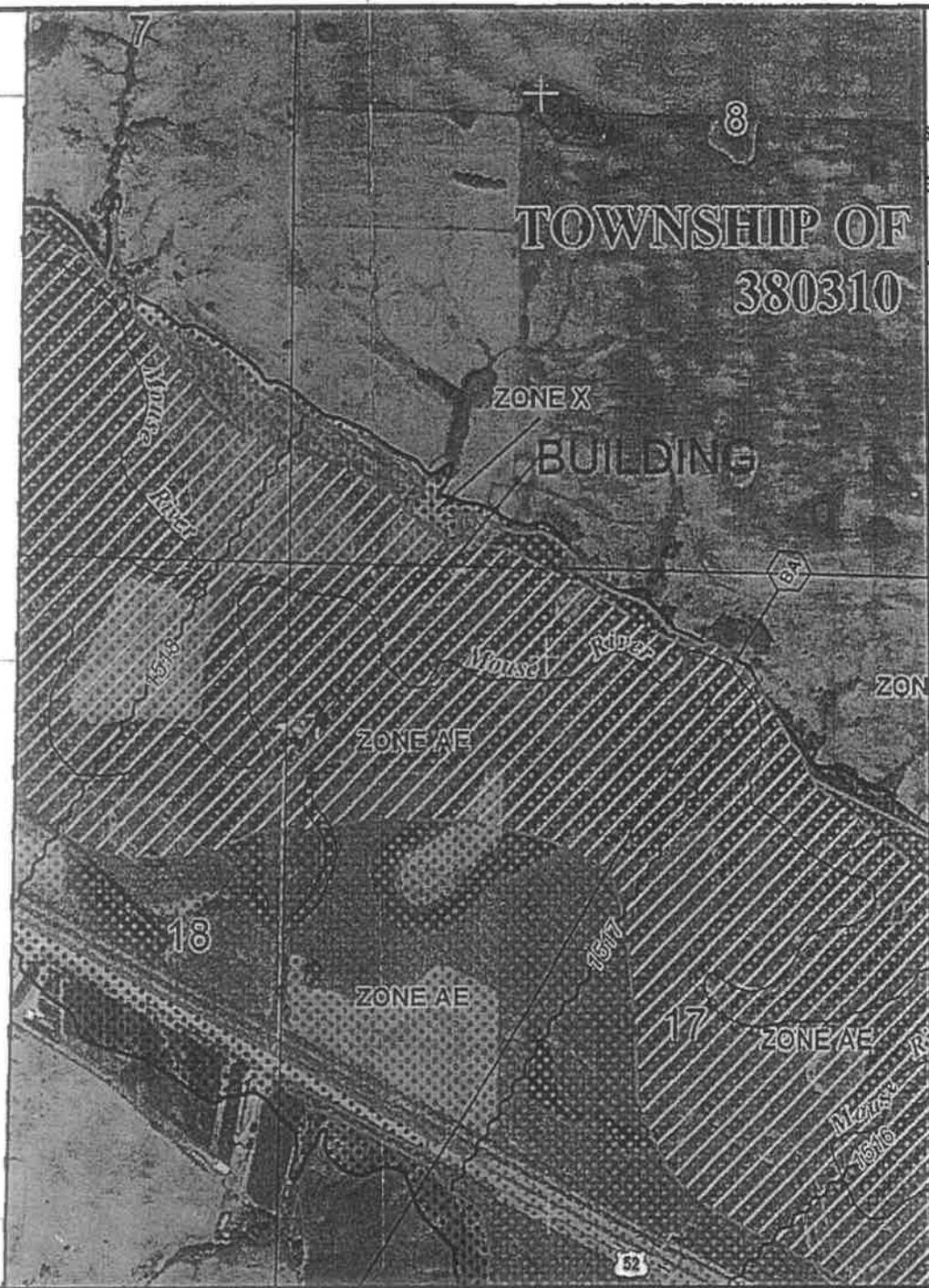
Photo Four Caption Left Side View (Photo from the NW)

Clear Photo Four

53 28 000m N

53 27 000m N

53 26 000m N



TOWNSHIP OF  
380310

ZONE X  
BUILDING

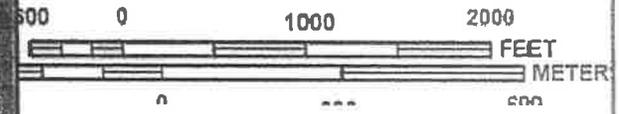
ZONE AE

ZONE AE

ZONE AE



MAP SCALE 1" = 1000'



NFIP

PANEL 0930F

**FIRM**  
FLOOD INSURANCE RATE MAP  
MCHENRY COUNTY,  
NORTH DAKOTA  
(AND INCORPORATED AREAS)

PANEL 930 OF 1450  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
MCHENRY COUNTY	380307	0930	
MCHENRY TOWNSHIP 03	380310	0930	

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER  
38049C0930F  
MAP REVISED  
JULY 18, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.maf.fema.gov](http://www.maf.fema.gov)

Community: Velva

## FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

FOR A WALLED AND ROOFED BUILDING

### SECTION 1: GENERAL INFORMATION

PERMIT #: 16

DATE: 12-5-17

Applicant: Velva Wildlife Club  
Address: 4320 Trappers Lane #17, Velva ND 58790 Telephone # 701-240-7680

Property Owner:  
Address:

Telephone #

Location of Proposed Development: 2.5 miles west of Velva  
Legal description: Outlots 594 & 893 of Section 17 all of Velva Township 153N R 80W  
outlots 595 & 892 of Section 18

Contractor: Ryan Hoff  
Address:

Telephone # 701-624-1686

### **FLOODPLAIN DETERMINATION:**

Ground elevation(s) at the building site: 1518.57 feet (msl)

Project location (check one only):

- Not located in the 100-year floodplain  
 Floodplain (flood fringe, 100-year floodplain, A Zone, AE, AO, AH Zone)  
 Floodway (engineering analysis required)

### **Map information:**

FIRM Date:

7-18-11

FIRM Zone:

AE

BF E at Development Site:

1517.70 (msl)

Lowest floor must be elevated or floodproofed to: 1518.70 1519.70 (msl)

**SECTION 2: BUILDING DEVELOPMENT**

**DESCRIPTION OF WORK:**

(Check all that apply)

Activity		Structure Type	
New Structure	_____	Residential (1-4 Family)	_____
Addition	_____	Residential (Multiple)	_____
Alteration	_____	Manufactured Home	_____
Replacement	_____	Combined Use	_____
Removal/Demolition	_____	Non-Residential	<u>X</u>
Remodel/Renovate	<u>X</u>		
Other (explain):	_____		

Substantial Improvement? (50% or more of market value): \$ Unknown  
 Existing market value of Structure? \$ Unknown  
 Estimated Cost of project: (labor and materials) \$ \$170,000

**ELEVATION OR FLOODPROOFING CERTIFICATION forms:**  
**FEMA form 81-31 ELEVATION CERTIFICATE;**  
**FEMA form 81-65 NON-RESIDENTIAL FLOODPROOFING CERTIFICATE**

Attach Certification(s)

- Certificate signed by a registered professional engineer or registered land surveyor.
- The certified as-built elevation of the lowest floor of the structure is 1518.57 feet (msl).
- The certified as-built floodproofed elevation of the structure is \_\_\_\_\_ feet (msl).

**ADDITIONAL INFORMATION REQUIRED:**

Attach property description, building plans, blueprints, drawings, diagrams as available.

**OTHER PERMITS NECESSARY??:**

Please list:

**ACTION/APPROVAL:**

The proposed development is in conformance with applicable floodplain standards.

\*PERMIT APPROVAL IS CONDITIONED ON RECEIVING AS-BUILT ELEVATION CERTIFICATIONS:

Signature (Local Administrator): 	Date: <u>12-5-17</u>
---	-------------------------

Signature acknowledging Permit Compliance:	Date:
--	-------

OFFICIAL PROCEEDINGS OF THE MCHENRY COUNTY BOARD OF COMMISSIONERS

December 5, 2017

9:00 AM

Chairman Medalen called the meeting to order. Commissioners Harry Bergstad, David Medalen, Gregg Boutilier, Larry Haman and Bryan Bruner were present.

A motion was made by Bergstad and seconded by Bruner to approve the November 7<sup>th</sup> and 21<sup>st</sup> minutes. Motion carried unanimously.

The Chairman relinquished his chair to the auditor for the purpose of reorganizing the board. The auditor called for nominations for Chair. Bruner nominated David Medalen. A motion was made by Boutilier and seconded by Bergstad that nominations cease and a unanimous ballot be cast for Medalen. Commissioners Boutilier, Bruner, Bergstad and Haman voting aye. Commissioner Medalen abstained. Motion carried. The auditor called for nominations for Vice Chair. Boutilier nominated Larry Haman. A motion was made by Boutilier and seconded by Bruner that nominations cease and a unanimous ballot be cast for Haman. Commissioners Bergstad, Bruner, Medalen and Boutilier voting aye. Commissioner Haman abstained. Motion carried. The auditor turned the meeting over to Chairman Medalen.

A motion was made by Boutilier and seconded by Bergstad to make the following appointments: Murray Pfau – Water Resource Board, David Haman – Water Resource Board, Lyle Hendrickson – Zoning Board, Maurice Goodwin – Zoning Board, Dennis Wunderlich – School Reorganization Board, Anthony Jorde – School Reorganization Board, Bryan Bruner – Park Board, Jeff Smette – Park Board, Dustin Welstad – LEPC Board, Jeff Michalenko – LEPC Board, Harry Bergstad – LEPC Board, Maxine Rognlien – Supt. of Schools, James Davenport – Veteran Service Officer, Kelsey Siegler – Emergency Manager/911. Motion carried unanimously.

Correspondence was received from Gary Deibert requesting additional dust control on 8<sup>th</sup> Ave N, near Verendrye. Gregg will contact Strata about this.

The board reviewed the variance request from Erick and Amy Nelson to place a structure 85' from the center of 17th Ave N located in the NE1/4NE1/4 of section 18-151-80. The zoning board recommended approval, as no one appeared for or against the variance at the public hearing. A motion was made by Bergstad and seconded by Boutilier to approve the variance. Motion carried unanimously.

A motion was made to sign the joint powers agreement with Pierce County to contract for boarding prisoners at a rate of \$72.00/day for 2018 and \$74.00/day for 2019. Motion carried unanimously.

Travis Leier met with the board regarding the floodplain permit for the Velva Wildlife Club. Correspondence was received from the state, indicating the base flood elevation met Federal standards but not State standards and flood proofing would be required or the structure would need to be elevated. A motion was made by Bergstad and seconded by Boutilier to approve the permit with the requirement of flood proofing as per state regulations. Motion carried unanimously.

Travis Leier presented a contract renewal for the GIS development and website maintenance for the county. A motion was made by Haman and seconded by Medalen to approve the contract at \$450/mo. Motion carried unanimously.

Joe Mayer, with Sundre Sand & Gravel, met with the board to introduce himself in his new role and to keep them in mind for any future projects.

Wesley Goodman, Jim Kuhnhenh, Jerry Goodman, Kelly Nelson, Lori Willoughby, Will Tiffany and Darlene Tiffany joined the meeting for the public hearing regarding the section line closure between sections 31/32 in 159-77. Individuals were given the opportunity to speak for or against this closure. Chairman Medalen explained the States Attorney's opinion regarding section line closures in which there first requires a public benefit to closing a section line before other factors can be considered. A motion was made by Haman and seconded by Boutilier to reopen the above stated section line since no public benefit was determined. Motion carried unanimously.

Jim Dolbeare, Carmen Dolbeare and Ken Klebe, Loren Fecho and Scott Smith, Willow Creek Township supervisors, joined the meeting to discuss a stretch of road between sections 1/2 and 11/12 in 159-76. This area has been a repetitive FEMA site in past years. Jim Dolbeare presented the county board and township board with a list of questions he would like answered. The commissioners suggested asking the water board to evaluate the area and give a recommendation.

Jason Mayfield met with the board regarding the county road projects. The pavement project West of Upham is complete and will be chip sealed in the spring. A motion was made by Bergstad and seconded by Haman to sign the preliminary construction agreement with Wold Engineering for the BRO-2506(065) project, to replace and widen the existing bridge West of Upham. Motion carried unanimously. A motion was made by Bergstad and seconded by Bruner to use HB 1176 funding for the preliminary engineering costs for this project. Motion carried unanimously. A motion was made by Bergstad and seconded by Medalen to use the Federal Aid funding to chip seal the county road from East of Velva, North to Karlsruhe, then East to ND 14. Motion carried unanimously.

The board recessed for lunch.

Commissioner Larry Haman absent.

The board held a phone conversation with the County Emergency Manager regarding the bill from the electrician for the additional costs incurred due to extra equipment requested by Deering, Drake, Upham and Velva for the siren projects. A motion was made by Boutilier and seconded by Bruner to approve the county paying for 1/2 of the additional electrical costs. Motion carried unanimously.

A consent motion was made by Bruner and seconded by Bergstad to approve the following receipts: Treasurer's Miscellaneous Receipts #42158-42245, the monthly payroll in the amount of \$148,747.35 paid by warrant checks #23956-24020, and Social Service bills totaling \$3,764.02; Clerk of Court November County fees \$564.48, State fees \$9,844.59; County Recorder November recording fees of \$6,450.10 and misc fees of \$244.30; Sheriff November statement of fees \$282.19, Sheriffs mileage \$338.00; Deputy reports for Nov.

The board continued to audit bills until completed. It was then moved by Bruner and seconded by Boutilier that the following bills be approved and the proper checks be issued thereof:

At 3:15 PM, there being no further business to come before the board at this time, a motion was made by Bergstad and seconded by Bruner to adjourn.

ATTEST:

\_\_\_\_\_  
Darlene Carpenter, Auditor

\_\_\_\_\_  
David Medalen, Chairman



**STATE  
HISTORICAL  
SOCIETY  
OF NORTH DAKOTA**

Doug Burgum  
Governor of North Dakota

North Dakota  
State Historical Board

Terrance Rockstad  
Bismarck - President

Gerold Gerntholz  
Valley City - Vice President

H. Patrick Weir  
Medora - Secretary

Calvin Grinnell  
New Town

Albert I. Berger  
Grand Forks

Steve C. Martens  
Fargo

Daniel Stenberg  
Watford City

Sara Otte Coleman  
Director  
Tourism Division

Kelly Schmidt  
State Treasurer

Alvin A. Jaeger  
Secretary of State

Melissa Baker  
Director  
Parks and Recreation Department

Thomas Sorel  
Interim Director  
Department of Transportation

Claudia J. Berg  
Director

Accredited by the  
American Alliance  
of Museums since 1986

December 15, 2017

Ms. Brittany Brooks  
Principal Investigator  
Beaver Creek Archaeology, Inc.  
1632 Capitol Way  
Bismarck, ND 58501

**ND SHPO Ref.:18-0223 ND Game and Fish Dept. "A Class III Intensive Cultural Resource Inventory of the Velva Shooting Range Complex in McHenry County, North Dakota," in portions of [T153N R80W Sections 17 & 18]**

Dear Ms. Brooks,

We reviewed ND SHPO Ref.:18-0223 ND Game and Fish Dept. "A Class III Intensive Cultural Resource Inventory of the Velva Shooting Range Complex in McHenry County, North Dakota," and find it acceptable. We concur with a "No Historic Properties Affected," determination, provided the work remains as described in this report dated December 2017.

Thank you for the opportunity to see this project. If you have any questions please contact Susan Quinnell, Review and Compliance Coordinator at (701) 328-3576, e-mail [squinnell@nd.gov](mailto:squinnell@nd.gov)

Sincerely,

Claudia J. Berg  
Director, State Historical Society of North Dakota



January 9, 2018

W-92-E-21, AmØ

Corey Wentland  
ND Game and Fish Department  
100 N. Bismarck Expressway  
Bismarck, ND 58501-5095

"Letter of Clearance" In Conformance with the North Dakota Federal Program Review System -  
State Application Identifier No.: ND180109-0005

Dear Mr. Wentland:

SUBJECT: ND Hunter Education - Velva Shooting and Educational Facility

The above referenced application has been reviewed through the North Dakota Federal Program Review Process. As a result of the review, clearance is given to the project only with respect to this consultation process.

If the proposed project changes in duration, scope, description, budget, location or area of impact, from the project description submitted for review, then it is necessary to submit a copy of the completed application to this office for further review.

We also request the opportunity for complete review of applications for renewal or continuation grants within one year after the date of this letter.

Please use the above SAI number for reference to the above project with this office. Your continued cooperation in the review process is much appreciated.

Sincerely,

Rikki Roehrich  
Program Administrator  
Division of Community Services

cmh



## 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

[http://www.fws.gov/northdakotafieldoffice/endspecies/  
endangered\\_species.htm](http://www.fws.gov/northdakotafieldoffice/endspecies/endangered_species.htm)

In Reply Refer To:

January 16, 2018

Consultation Code: 06E15000-2018-SLI-0091

Event Code: 06E15000-2018-E-00121

Project Name: Velva Shooting Range

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

To Whom It May Concern:

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 ECOS-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 ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

## 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

Consultation Code: 06E15000-2018-SLI-0091

Event Code: 06E15000-2018-E-00121

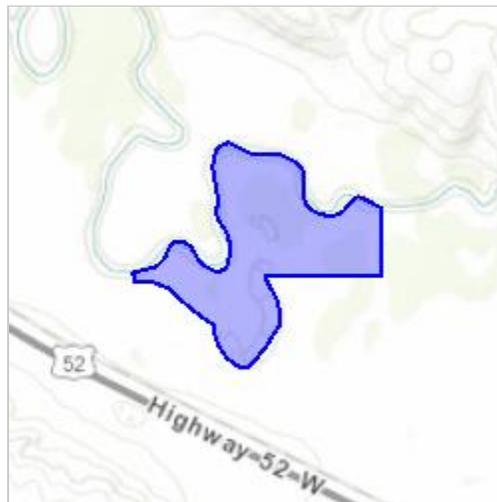
Project Name: Velva Shooting Range

Project Type: DEVELOPMENT

Project Description: The Velva Wildlife Club and the North Dakota Department of Game and Fish Department propose to expand of shooting range. The project will include construction of a rifle range, two archery ranges, a trap range, and some building updates.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/48.07742940058326N100.99107733206138W>



Counties: McHenry, ND

---

## Endangered Species Act Species

There is a total of 6 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. 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.

### Mammals

NAME	STATUS
Gray Wolf <i>Canis lupus</i> Population: U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/4488">https://ecos.fws.gov/ecp/species/4488</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Endangered

## Insects

NAME	STATUS
<b>Dakota Skipper</b> <i>Hesperia dacotae</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/1028">https://ecos.fws.gov/ecp/species/1028</a>	<b>Threatened</b>

## Critical habitats

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

---

## Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

### Information to Determine 4(d) Rule Compliance:

	YES	NO
1. Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?	X	<input type="checkbox"/>
2. Have you contacted the appropriate agency <sup>2</sup> to determine if your project is near known hibernacula or maternity roost trees?	X	<input type="checkbox"/>
3. Could the project disturb hibernating NLEBs in a known hibernaculum?	<input type="checkbox"/>	X
4. Could the project alter the entrance or interior environment of a known hibernaculum?	<input type="checkbox"/>	X
5. Does the project remove any trees within 0.25 miles of a known hibernaculum at any time of year?	<input type="checkbox"/>	X
6. Would the project cut or destroy known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree from June 1 through July 31.	<input type="checkbox"/>	X

You are eligible to use this form if you have answered yes to question #1 **or** yes to question #2 **and** no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

**Agency and Applicant**<sup>3</sup> (North Dakota Game and Fish Dept, pisakson@nd.gov, 701-328-6338

**Project Name:** Velva Shooting Range

**Project Location** NW 1/4 of the NW 1/4 of Section 17 and the NE 1/4 of the NE 1/4 of Section 18 of Velva Township 153 N. Range 80 W

**Basic Project Description** Project is the development of a shooting range. This would include tree removal and dirt work to landscape surrounding land. Disturbed area would be 110 yards long and 40 yards wide. Roughly 1 acre in size.

<sup>1</sup> <http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf>

<sup>2</sup> See <http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html>

<sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

<b>General Project Information</b>	<b>YES</b>	<b>NO</b>
Does the project occur within 0.25 miles of a known hibernaculum?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project occur within 150 feet of a known maternity roost tree?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Estimated total acres of forest conversion	1 acre	
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31	1 acre	
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>	0 acres	
Does the project include timber harvest? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of timber harvest		
If known, estimated acres of timber harvest from April 1 to October 31		
If known, estimated acres of timber harvest from June 1 to July 31		
Does the project include prescribed fire? (if yes, report acreage below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated total acres of prescribed fire		
If known, estimated acres of prescribed fire from April 1 to October 31		
If known, estimated acres of prescribed fire from June 1 to July 31		
Does the project install new wind turbines? (if yes, report capacity in MW below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Estimated wind capacity (MW)		

Agency Determination:

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

<sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.

Signature: 

Date Submitted: 10-4-17

## Velva Shooting Range Project Biological Write-up

The following is a list of Threatened and Endangered species that we have specific comment on.

1) Bald Eagle and Golden Eagle– Preferred habitat for the bald eagle consists of hardwood draws and rocky outcrops close to a water source. Both eagle species are protected by the Bald and Golden Eagle Protection Act. Habitat for bald eagle species does exist near the activity project area, but there are currently no known nests in the vicinity of the project area. The project is localized to a previously disturbed roadway. With no known nests in the area we believe this project will have no effect on these species.

2) Interior Least Tern – This species nests along inland rivers. It is found in isolated areas along the Missouri and Yellowstone rivers during the summer nesting season. It nests in sandbars or barren beaches, preferably in the middle of the river for increased safety while nesting. There is no least tern habitat within the project area. This project will have no effect on this species.

3) Piping Plover - This species is a small migratory shorebird. In North Dakota, breeding and nesting sites can be found along the Missouri River. Preferred habitat includes riverine sandbars, gravel beaches, alkali areas of wetlands, and flat, sandy beaches with little vegetation. There is no piping plover habitat within the project area. This project will have no effect on this species.

4) Pallid Sturgeon - In North Dakota, the pallid sturgeon is known to exist within the Missouri River and upstream of Lake Sakakawea in the Yellowstone River. According to USFWS, its preferred habitat includes a diversity of water depths and velocities formed by braided river channels, sand bars, sand flats, and gravel bars. There is no habitat for this species in the vicinity of the project area. This project will have no effect on this species.

5) Black-footed Ferret – Historically, prairie dog colonies in the southwestern corner of the state provided suitable habitat and supported the black-footed ferret. Black-footed Ferrets are considered not present in North Dakota. This project will have no effect on the black-footed ferret and its associated habitat.

6) Gray Wolf – Historically, its preferred habitat includes biomes such as boreal forest, temperate deciduous forest, and temperate grassland. It is found throughout Northern Canada, Alaska, and the forested areas of Northern Michigan, Minnesota, and Wisconsin. It is unlikely that gray wolves would inhabit the project area as it does not contain preferred habitat to sustain a population and is far away from other known wolf populations. Any wolf sighted near the project area would be considered transient so we believe the project will have no effect on the gray wolf.

8) Whooping Crane – They migrate through North Dakota along a band running from the south central to the northwest part of the state. They use shallow, seasonally and semi-permanently flooded palustrine (marshy) wetlands for roosting and various cropland and emergent wetlands for feeding. During migration, whooping cranes are often recorded in riverine habitats, including the Missouri River. Potential roost habitat for the whooping crane does not exist within the project area and there were no sightings within the area. Because suitable habitat does not exist within the proposed project area, it is determined the proposed project will have no effect on the whooping crane.

9) Dakota Skipper - Dakota Skipper are listed as Threatened under the Endangered Species Act. They are a small butterfly closely associated with native prairies in the parts of the

Northern Great Plains. The project area consists of riparian forest and river bottoms so does not contain potential habitat for the Dakota Skipper. We believe this project will have no effect on the species.

10) Poweshiek Skipperling - Poweshiek Skipperling are listed as Endangered under the Endangered Species Act. They are a small butterfly closely associated with native prairies in the parts of the Northern Great Plains. In North Dakota their preferred habitat is found in the southeast corner of the state. They are currently considered extirpated. This project is outside of the historic range of this species. We believe this project will have no effect on the species.

11) Northern Long-eared Bat – The Northern Long-eared Bat (NLEB) is listed as threatened under the Endangered Species Act. The Northern Long-eared Bat is a myotis species associated with forest habitat. It ranges from the east to Midwest in the United States and Canada. North Dakota lies on the western edge of its range. The project area consists of riparian forest so does have the potential habitat for NLEB. The project area is outside of the White-nose Syndrome zone. There are no known maternity roosts within the project area. In addition no tree removal will occur between June 1 and July 31. We believe this project may affect but will not adversely affect the NLEB.

12) Rusty Patched Bumble bee - The rusty patched bumble bee is one of 47 bumble bee species found in North America. It is a colonial insect requiring a continuous supply of flowering plants from early spring through fall, undisturbed nest sites near those flowering plants, and overwintering sites. The southeastern corner of North Dakota is considered part of its historic range, but no known locations currently exist.

The project area is outside of the historic range of the rusty patched bumble bee. We believe the project will have no effect on the species.

13) Red Knot – The Red Knot is listed as Threatened under the Endangered Species Act. The Red Knot is a medium sized migratory shore bird that migrates annually from breeding grounds in arctic Canada to a number of wintering grounds including the Gulf of Mexico and the southeastern United States. North Dakota is used as stop over habitat on their migration route. This habitat is concentrated to a route that generally follows the Missouri River. The project area would be outside of this flyway so will have no effect on the species.

14) Western Prairie Fringe Orchid- the Western prairie fringed orchid, is a perennial orchid of the North American tall grass prairie and is found most often on unplowed, calcareous prairies and sedge meadows. The persistence of western prairie fringed orchid is dependent on periodic disturbance by fire, mowing, or grazing, but these practices may also cause adverse effects and must be carefully implemented. The species occurs in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and Oklahoma. In North Dakota it is known to occur in Ransom and Richland counties.

The project area is outside of the range of this species and will have no effect.

# Appendix B

Public Involvement

OFFICIAL PROCEEDINGS OF THE MCHENRY COUNTY BOARD OF COMMISSIONERS

September 5, 2017

9:00 AM

Chairman Medalen called the meeting to order. Commissioners Harry Bergstad, David Medalen, Gregg Boutilier, Larry Haman and Bryan Bruner were present. Also present was Josh Frey.

A motion was made by Boutilier and seconded by Bergstad to approve the August 1<sup>st</sup>, 9<sup>th</sup> and 25<sup>th</sup> minutes. Motion carried unanimously.

TJ Alme and Travis Leier joined the meeting.

Arlen Schiele and Joe Mosser from Odin Township met with the board regarding a bridge located between sections 34/35 in 152-78. A motion was made by Bruner and seconded by Bergstad to remove the bridge and install 3 – 5' X 60' culverts with fabric. Motion carried unanimously.

A letter in opposition from Steve McLean was read before the board regarding the conditional use application from the Velva Wildlife Club to locate a sport shooting range West of Velva. William and Pam Degele had also contacted a commissioner with some concerns. The board was presented with a request for an amendment to the county zoning ordinance to add sport shooting ranges as a conditional use in a recreational district. A motion was made by Haman and seconded by Bergstad to approve the amendment. Motion carried unanimously. The board reviewed the conditional use application from Velva Wildlife Club to build structures used for wildlife club purposes as well as firearm and archery shooting ranges on property described as Outlots 594 and 832 of Section 17 and Outlots 595 and 833 of Section 18 in 153-80. The zoning board had made a recommendation to approve the CUP with the following conditions: the shooting ranges must be a minimum of ¼ mile from any residence; the wildlife club must comply with all federal, state and local laws in regards to the management of waste lead from bullets in order to protect groundwater contamination; the hours of operation must be between 8:00 AM and 10:00 PM; the shooting ranges must be constructed in accordance with NRA standards to ensure public safety; require verbiage in the insurance policy that would indemnify the county and hold the county harmless. A motion was made by Bergstad and seconded by Bruner to approve the CUP with the following requirements in addition to the zoning board conditions: rifles used on the shooting range must not exceed 300 caliber; no muzzle breaks; vegetation must be planted to minimize noise levels. Commissioners Bergstad, Medalen, Bruner and Haman voting aye. Commissioner Boutilier voting nay. Motion carried.

The board reviewed the variance application from Ryan Hoff to construct a storage shed 90' from the center of 15th Ave N in the SW ¼ SW ¼ of Section 36-153-80. A motion was made by Haman and seconded by Bruner to approve the variance. Motion carried unanimously.

Bruce Dokken, Steve Jacobson and Denver Fosness joined the meeting.

The board opened the bids for the logjam removal projects. A motion was made by Boutilier and seconded by Bergstad to accept the low bid from Fosness Construction in the amount of \$9,800 for the Hutton Bridge in Falsen Township. Motion carried unanimously. A motion was made by Boutilier and seconded by Bruner to accept the low bid from B & J Excavating in the amount of \$7,600 for Lost Bridge in Red Cross Township. Motion carried unanimously. A motion was made by Bergstad and seconded by Bruner to accept the low bid from B & J Construction for the Nelson Bridge located in Poplar Grove Township. Motion carried unanimously. B & J Construction was the sole bidder for the Kongsli Bridge in Star Township. A motion was made by Haman and seconded by Bruner to approve the bid in the amount of \$28,300. Motion carried unanimously.

TJ Alme met with the board regarding a bridge located on the East side of Section 11-151-77, which is in need of repair. The board will have someone look at it.

The public hearing was held to close the abandoned portion of Co Rd 10 through section 5, 7 and 8 in 153-75. No one appeared in opposition. A motion was made by Haman and seconded by Bergstad to approve the closure. Motion carried unanimously.

Veteran Service Officer, Jim Davenport met with the board to request an increase of work days from one to two days a week. No action taken.

Kent Indvik met with the board to review the road projects.

Correspondence was received from Treasurer Linda Fairbrother requesting the tax payments be removed from the protest fund and be apportioned to the proper taxing districts, as the allotted 60 days have expired with no action taken by the applicant. A motion was made by Bergstad and seconded by Boutilier to approve request to apportion the taxes. Motion carried unanimously.

A motion was made by Boutilier and seconded by Haman to approve abatement #1260. Motion carried unanimously.

A motion was made by Haman and seconded by Bruner to reissue lost instrument #72849. Motion carried unanimously.

A motion was made by Boutilier and seconded by Haman to cancel warrant #17354 and #17462 and send the funds to unclaimed property. Motion carried unanimously.

The board recessed for lunch.

A petition was received to close the section line between sections 6 and 7 in 157-76. A motion was made by Bergstad and seconded by Bruner to advertise for a public hearing. Motion carried unanimously.

The board was provided a list of the possible foreclosures.

Josh Frey informed the board his office has been asked to move to another location within the same building, which would also increase the rent due to the additional footage. A motion was made by Bergstad and seconded by Haman to agree to move. Commissioners Medalen, Bergstad, Bruner, Bergstad voting aye. Commissioner Boutilier absent. Motion carried.

The board reviewed the 2018 county budget.

A motion was made by Haman and seconded by Bergstad to increase all county board compensation to \$85/meeting to comply with state law, with the exception of the water board, effective January 1, 2018. Commissioners Bergstad, Bruner, Haman and Boutilier voting aye. Commissioner Medalen voting nay. Motion carried.

A special meeting will be held on September 14<sup>th</sup> at 9:00 AM to continue work on the budget.

A consent motion was made by Bergstad and seconded by Haman to approve the following receipts: Treasurer's Miscellaneous Receipts #41898-41974 the monthly payroll in the amount of \$146,094.35 paid by warrant checks #23775-23837 and Social Service bills totaling \$4,615.26; Clerk of Court August County fees \$924.37, State fees \$12,411.87; County Recorder July recording fees of \$5,127.00 and misc fees of \$458.00; County Recorder August recording fees of \$4,627.00 and misc fees of \$125.45; Sheriff August statement of fees \$1,260.00, Sheriffs mileage \$901.40; Deputy reports for July/August.

The board continued to audit bills until completed. It was then moved by Haman and seconded by Bruner that the following bills be approved and the proper checks be issued thereof:

<b>Warrant</b>	<b>Paid</b>	<b>Reason</b>	<b>Amount</b>
73247	Advanced Business Methods	Copy machine contract	564.48
73248	AgriTec, Inc	Diesel fuel	51.00
73249	Alme, Tom	Spraying	2,890.00
73250	Al's Metal Work	Packer repair	591.99
73251	AT&T Mobility	Cell phone service	760.46
73252	Attorney General Office	Program fees	1,050.00
73253	B & J Excavating	Gravel Copperdahl Twp	12,960.00
73254	Bechtold Paving, Inc	CNOC-2506(064)	289,424.65
73255	Bergstad, Harry	Mileage	226.16
73256	BHG, Inc	Publications	27.75
73257	Bossert, Kevin	Replace lost check	100.05
73258	Boutilier, Gregg	Mileage	131.08
73259	Brandt, Kelly	Mileage	115.56
73260	Bruner, Bryan	Mileage	85.07
73261	Butler Machinery Company	Parts	2,286.15
73262	Cenex Fleetcard	Gas	5,874.33
73263	CHS Inc By-Products	MC-250	22,078.15
73264	Crop Production Services	Chemical	20,671.20
73265	Dacotah Paper Company	Janitorial supplies	127.95
73266	Deere Credit, Inc	JD Motor Grader leases	50,296.84
73267	Dakota Fire Extinguishers	Annual service Nurse's Office	32.99
73268	DK Service	Gas, diesel fuel, services	2,109.60
73269	DMC Wear Parts LLC	Cutting edges	6,669.52
73270	Drake City	Utilities	58.50
73271	Derick Welk Construction	Build 2 picnic shelters	4,000.00
73272	Envision	Diesel fuel, chemical	4,192.06
73273	Evident	Drug test supplies	116.59
73274	First District Health Unit	3rd Qtr Mill Levy	22,733.25
73275	Farmers Union Oil, Velva	Diesel fuel, tires	2,888.46
73276	Galls, LLC	Uniform	166.97
73277	Gooseneck Implement	Mower blades	502.39
73278	Granville City	Propane	25.00
73279	General Trading Company	Shop supplies	332.84
73280	Hagen, Yvonne	Meal	10.50
73281	HACTC	Prisoner board	4,757.00
73282	Hardware Hank	Tables, janitor & shop supplies	808.37
73283	I Design	Warning books	175.00
73284	Ihry Insurance Agency, Inc	Notary bond	50.00
73285	ITD Information Technology Dept	Data processing	642.85
73286	Joe Mosser Enterprises	Road work	400.00
73287	Kitzman, Neil	Mileage	184.04
73288	LeierGISTics, LLC	Website maintenance	500.00
73289	Marshall & Swift	Residential cost handbook	349.95
73290	Minot Auto Supply	Packer parts	537.36
73291	Matthew Bender & Company	Law manuals	105.26
73292	Mike's Body Paint & Glass	Towing, repairs	1,468.91
73293	Magic City Garage Door Company	Antenna	17.50
73294	McHenry County Treasurer	Protest tax, mileage, registration	1,631.16
73295	Medalen, David	Mileage	149.27
73296	Mary Holen Construction	Gravel Co Rd 17, Willow Rd	32,300.00
73297	Mouse River Journal	Legal publications	622.38
73298	Mouse River Oil Company	Diesel fuel	5,886.37

73299	ND Association of Counties	Webinar	70.00
73300	ND Secretary of State	Election machine maintenance	3,984.24
73301	ND Dept of Transportation MVD	Title fee	5.00
73302	Northern Equipment, Inc	Repair	274.00
73303	Newman Traffic Signs	Road signs	118.25
73304	ND Unclaimed Property Division	Unclaimed property	331.88
73305	Office Depot	Supplies	1,167.07
73306	O.K. Tire Store	Patrol car tires	493.72
73307	Otter Tail Power Company	Electric service	1,473.46
73308	Pfeifer Construction	Gravel Buffalo Lodge	1,395.00
73309	PharmChem, Inc	Drug test	50.00
73310	Pheasantland Industries	Decals	32.08
73311	Postage Ink	Postage meter supplies	31.92
73312	PowerPlan	Repairs, parts	7,015.28
73313	Pro IT, LLC	Tech support	800.00
73314	Redwood Toxicology Lab, Inc	Drug test supplies	189.23
73315	Kelsey Siegler	Mileage	85.60
73316	Smette Oil Company	Diesel fuel, gas	2,731.53
73317	Soltis Business Forms	Tax statement, envelopes	1,031.00
73318	SRF Consulting, Inc	Planning & zoning service	66.90
73319	SRT Communications, Inc	Phone, 911 service	1,955.14
73320	Team Electronics, Inc	Strip vehicle	835.05
73321	Towner Health & Wellness	Office rent	480.00
73322	Thomas Law Firm	Services	100.00
73323	Towner City	Utilities	516.89
73324	Towner Foods	Class supplies	108.56
73325	Tough-T Manufacturing	Disk attachment	6,250.00
73326	Towner Parts & Equipment	Repairs, supplies	164.46
73327	Thomson Reuters-West	Westlaw	136.07
73328	Tractor Supply Credit Plan	Shop supplies	177.95
73329	Upham City	Utilities	35.00
73330	US Records Midwest, LLC	Deed index	3,902.95
73331	Verendrye Electric Cooperative	Electric service	615.24
73332	Wald, Rachel	Mileage	71.75
73333	Ward County	Booking fee	25.00
73334	Werle, Curtis	Spraying	6,247.50
73335	Westlie Motor Company	2016 Ford Explorer repair	1,559.23
73336	Wold Engineering, PC	CNOC-2506(064), SC-2539(053)	39,987.93
73337	Ziegler Oil Company	Diesel fuel	1,949.70
73338	Zoll Medical Corporation	Defibrillator pads	169.37

At 7:05 PM, there being no further business to come before the board at this time, a motion was made by Bruner and seconded by Medalen to adjourn.

ATTEST:

\_\_\_\_\_  
Darlene Carpenter, Auditor

\_\_\_\_\_  
David Medalen, Chairman

# McHenry County Zoning Commission

August 24, 2017

7:00 PM

The meeting was called to order by Chairman Matt Zelinski. Other members present were Bill Goodwin, Ken Gefroh, Lyle Hendrickson, Larry Haman, Darrell Haman, Lloyd Gardner, Anita Trana and Darlene Carpenter. Also present was Harry Bergstad, Steve McLean, Kathy McLean, Travis Leier, Rick Erickson, DJ Randolph, Marty Egeland and James Jansky. States Attorney, Josh Frey, attended via phone.

A motion was made by Darrell and seconded by Lloyd to approve the minutes from July 27<sup>th</sup>. Motion carried unanimously.

The public hearing was held for the amendment to add sport shooting ranges as a conditional use in a recreational district. Josh provided information found in his research and recommended this amendment be passed in order to comply with State and Federal laws. No one appeared in opposition. A motion was made by Lloyd and seconded by Anita to recommend the commissioners approve the zoning change as requested. Motion carried unanimously.

The public hearing was held for the conditional use application from the Velva Wildlife Club to for a sport shooting range for property described as Outlots 594 and 832 in Section 17 and Outlots 595 and 833 in Section 18 of 153-80. Steve and Kathy McLean spoke in opposition with concerns about noise and the possible de-valuation of their home. The wildlife club members presented information regarding their plans for minimizing the noise. Matt suggested placing the following conditions on the permit: must comply with all federal, state and local laws in regards to the management of waste lead from bullets to protect groundwater contamination; limit the hours of operation from 8:00 AM to 10:00 PM; the range must be constructed in accordance with National standards to ensure safety of the public; the range must meet NRA design standards. A motion was made by Darrell and seconded by Lloyd to recommend the commissioners approve the conditional use permit with the conditions suggested by Matt. The States Attorney recommended another condition which would require an insurance policy with verbiage that indemnifies the county and holds the county harmless. A motion was made by Darrell and seconded by Lloyd to amend the previous motion to include the condition recommended by the States Attorney. Board members Bill, Ken, Lyle, Larry, Darrell, Lloyd and Matt voting aye. Board member Anita voting nay. Motion carried.

Most visitors left the meeting with the exception of James Jansky. Larry Haman also left.

The public hearing was held for the variance application from Ryan Hoff to construct a yard shed 90' from the center of 15th Ave N in the SW ¼ SW ¼ of Section 36-153-80. No one appeared in opposition. A motion was made by Bill and seconded by Ken to recommend the commissioners approve the variance. Motion carried unanimously.

The board reviewed the following applications:

Brad Genetzky – mobile home and barn

A motion was made by Lloyd and seconded by Ken to approve, pending a copy of the septic permit. Motion carried unanimously.

James Jansky – house

A motion was made by Lloyd and seconded by Lyle to approve. Motion carried unanimously.

Meadowlark Wind I LLC – O & M building

Meadowlark Wind I LLC – transmission line

A motion was made by Anita and seconded by Bill to approve both permits. Motion carried unanimously.

The board discussed creating a Special Use Permit which would be applied when the use is not listed in the ordinance.

At 9:00 PM, a motion was made by Bill and seconded by Ken to adjourn. Motion carried unanimously.

ATTEST:

\_\_\_\_\_  
Darlene Carpenter, Auditor

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA )  
 ) ss.  
County of McHenry )

Lisa Kongsle, being first duly sworn, deposes and says that she is the Representative of the hereinafter described newspaper and makes this affidavit as such that the annexed printed copy of Notice of:

McHenry Co. Auditor  
public hearing

was taken from the Mouse River Journal, a newspaper which, during the whole time of publication of said Notice hereinafter state, had been, and is printed and published in Towner, County of McHenry and State of North Dakota, that the said Notice was published in said newspaper on the following dates:

August 16, 2017 \_\_\_\_\_, 20\_\_\_\_  
August 23, 2017 \_\_\_\_\_, 20\_\_\_\_  
~~August~~ \_\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_

in each and every issue of the full number thereof, upon which days or times of publication aforementioned the said newspaper was regularly published and that the said newspaper was then and is now a bona-fide legal newspaper published at Towner, County of McHenry, and State of North Dakota.

Lisa Kongsle  
Affiant

Subscribed and sworn to before me this 23 day of Aug, 2017  
[Signature]

Notary Public, McHenry County  
North Dakota

PUBLIC HEARING

Notice is hereby given that the McHenry County Zoning Board will be conducting a public hearing on August 24, 2017 at 7:00 p.m. in the commissioner's room of the County Courthouse in Towner, ND to consider an amendment to the zoning ordinance to add wildlife club activities including gun ranges as a conditional use in a recreational district. A variance permit will be considered to construct

PUBLIC HEARING

Notice is hereby given that the McHenry County Zoning Board will be conducting a public hearing on August 24, 2017 at 7:00 p.m. in the commissioner's room of the County Courthouse in Towner, ND to consider an amendment to the zoning ordinance to add wildlife club activities including gun ranges as a conditional use in a recreational district. A variance permit will be considered to construct a yard shed 90' from the center of 15th Ave N in the SW 1/4 SW 1/4 of Section 36-153-80. A conditional use permit will be considered to allow the construction of structures used for wildlife club purposes as well as firearm and archery shooting ranges in property described as Outlots 594 and 832 of Section 17 and Outlots 595 and 833 of Section 18 in 153-80. A copy of the proposed amendment can be obtained by contacting the County Auditor's office.

Darlene Carpenter, County Auditor  
(August 16 & 23, 2017)

BILLI J ERIKSMOEN  
Notary Public  
State of North Dakota  
My commission expires Aug 15, 2019

Feb. 8-10 District 11  
Tournament @ Velva TBA  
Feb. 13th BB vs Garrison @  
Drake 5:45pm  
Feb. 15th BB vs Max @ Drake  
5:45pm  
Feb. 17th BB vs South Prairie  
@ Drake 5:45pm  
Feb. 19-22nd GB Region 6  
Tournament TBA

**TGU Upcoming Events**  
Feb. 1st GB @ Dunseith  
5:45pm  
Feb. 2nd BB @ Bishop 4pm,  
7 & 8 BB 4pm  
Feb. 3rd GB @ Rolette 4pm,  
BB @ Bottineau 11am  
Feb. 5th Hunter Education  
:30pm  
Feb. 6th BB @ Westhope  
4:15pm, Hunter Ed. 5:30pm, BB  
@ ORC 5:45pm  
Feb. 7th Dollars for Scholars  
7pm

Feb. 8th GB District Tourn. @  
Velva, Hunter Ed 5:30pm  
Feb. 9th GB District Tourn @  
Velva  
Feb. 10th BB vs Velva 10am  
Feb. 12th Hunter Ed 5:30pm  
Feb. 13th BB @ Surrey  
3:30pm, BB @ Nedrose 5:45pm,  
Hunter Ed 5:30pm, School Board  
7pm

• Got cold hands? This "hot sock"  
the greatest for a quick warmup. Add  
cup of uncooked white rice to a sock  
Knot closed. Pop in the microwave for  
45 seconds to 1 1/2 minutes, and the  
simply hold it. Make a larger one for  
sore back or neck, or to tuck into the  
bottom of the bed to keep feet toasty as  
you drift off to sleep.

• "I recently moved away to college  
and, for the first time in my life, have  
become reliant on public transportation.  
I would say that the two most  
important items right now are a bus  
pass (so I don't have to try to find exact  
change) and hand sanitizer. When  
got here, I was pretty much sick for  
month!" — O.J. in New York

• If you keep a toilet brush in your  
bathroom, try this handy hint: Add  
few drops of a fragrant multipurpose  
cleaner to your brush holder, like Pine  
Sol or Mistolin.

Send your tips to Now Here's  
Tip, 628 Virginia Drive, Orlando,  
FL 32803.

Feb. 22nd GB Region  
Minot, BB @ Nedrose 4pm  
Feb. 23rd BB District  
Tournament @ Bottineau  
Feb. 24th BB @ Rugby 10am,  
BB District Tourn  
Feb. 26th BB District Tourn  
Feb. 27th BB @ Drake 4:15pm

**Velva Upcoming Events**  
Feb. 1st GBB vs DL 4:15pm  
Feb. 2nd BBB vs Westhope  
5:45pm  
Feb. 3rd WR Regional JHBBB  
vs Rugby 10am, GBB @ Our  
Redeemers 4pm  
Feb. 6th JHBBB vs Surrey  
4pm, BBB @ Ma 4:15pm  
Feb. 7th Library open 6pm

Feb. 15th WR State Tourn.,  
Wellness 12pm, JHBBB 4pm  
Feb. 16th Magic City Jazz  
Festival No School WR State  
Tourn.  
Feb. 17th WR State Tourn.  
Feb. 19th GBB Regionals No  
School

Feb. 20th GBB Regionals,  
JHBBB @ Drake 4pm  
Feb. 21st Library open 6pm  
Feb. 22nd GBB Regionals,  
JHBBB 4pm  
Feb. 23rd BBB Districts  
Feb. 24th BBB Districts, Velva  
Speech, FFA Winter 8am  
Feb. 26th BBB Districts  
Feb. 27th JHBBB @ Rugby  
4pm  
Feb. 28th Library 6pm



**HOT STUFF PIZZA**  
in Towner is OPEN  
Superbowl Sunday  
from 2pm to 5pm  
• 20 Made to order  
Wings for \$11.99! or  
• 2 Large Pizzas any  
way for \$17.99!  
Call 537-5457 to order

**VELVA WILDLIFE CLUB**

The Velva Wildlife Club will be holding an  
informational open house to provide details  
about the proposed  
Velva Shooting Skills Complex.

The open house will be held on  
**February 13th from 5:00 to 7:00PM**  
at Verendrye Electric in Velva.

Representatives from the Velva Wildlife Club  
and North Dakota Game & Fish Department will  
be available to provide specifics and answer  
questions about the project.

The public is welcome to attend.

a felony.  
On this date in 1951, a mere 73  
years later, it was reported that the  
Senate Judiciary Committee finally  
approved a bill to correct the  
error.

Sw  
Ha  
mess  
them i  
edition

\$5

Fill out this form  
Mouse River  
Submissions are requ  
If you would like your ph  
information can also b  
mrjads@srt.com with  
published in the l

Sweetheart Name:

From: