

# **ENVIRONMENTAL ASSESSMENT**

## **Hankinson Shooting Range Hankinson, North Dakota**



Submitted to:  
U.S. Fish and Wildlife Service  
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Lakewood, CO 80228

On Behalf of:  
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# Introduction, Purpose and Need

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## INTRODUCTION

The North Dakota Game and Fish Department (NDGF) is applying for a grant with the United States Fish and Wildlife Service (USFWS) for the construction of a new shooting range. The proposed project is being referred to as the Hankinson Shooting Range (the proposed Project). The day-to-day operations and maintenance of the proposed Project would be managed by the Richland County Wildlife Club.

The proposed Project is located in the organized Brightwood Township which is located approximately 2 miles west of Hankinson, North Dakota in Richland County, North Dakota. The proposed Project is planned to be approximately 4.69 acres in size located on a 114-acre parcel owned by the NDGF in portions of Section 16, Township (T) 130 North (N), Range (R) 50 West (W) (**Figure 1**). For the purposes of this report, the disturbance area refers to the 4.69 acres where direct impacts to soil and vegetation may occur and the proposed Project area refers to the 82.5-acre block that was surveyed during field survey efforts. Since the USFWS would administer the grant funds for the proposed Project, this Environmental Assessment (EA) has been prepared to document the federal action in compliance with the National Environmental Policy Act (NEPA).

This EA analyzes potential impacts to elements in the natural and human environment for both the No Action Alternative and the Proposed Action Alternative. Impacts may be beneficial or detrimental, direct or indirect, and short-term or long-term. The EA also analyzes the potential for cumulative impacts and ultimately makes a determination as to the significance of any impacts.

In the absence of significant impacts to the natural and human environment, this EA would result in a Finding of No Significant Impact (FONSI). Should significant adverse impacts be identified as a result of the direct, indirect, or cumulative effects of the Proposed Action Alternative, NEPA requires the preparation of an environmental impact statement (EIS).

## PURPOSE AND NEED

The purpose of the proposed Project is to develop an accessible public gun range that would promote safe, responsible, knowledgeable and involved gun use. Shooting ranges that are safely-constructed, properly-managed, and publicly-accessible play a role in recruiting new hunting and target shooting enthusiasts, as well as improving their skill and proficiency. These ranges also create a place for people to go that are safe and maintained to maximize safety.

The proposed Project is needed to provide a public shooting range in a region lacking these facilities. The closest public shooting range is the Skip Balzer Memorial Shooting Range, approximately 180 miles northwest of the proposed Project location. The closest members-only shooting range is located in Fairmount, North Dakota, approximately 15 miles east of the proposed Project location. Safe, public gun ranges are too few in this area to support the demand of local shooters and hunters.

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# Alternatives

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## **PROPOSED ACTION ALTERNATIVE**

The Proposed Action Alternative is the funding of the proposed Project by the USFWS and administered by the NDGF. The funds would be used to construct the proposed Project on the NDGF property in Section 16, T130N, R50W.

The proposed Project would include the construction of a gravel access road, gravel parking area, concrete shooting benches, rifle range, and pistol range (**Figure 2** and **Appendix F**). The proposed pistol range would include a 25-yard-long by 20-yard-wide shooting lane. The proposed rifle range would include a 100-yard-long by 33.3-yard-wide shooting lane and a 200-yard-long by 20-yard-wide shooting lane. Berms would be constructed to approximately 12 feet high on either side of the range and at the backstop of the range. The footprint of the proposed Project would be approximately 4.69 acres in size (**Figure 2** and **Appendix F**).

## **NO ACTION ALTERNATIVE**

Under the No Action Alternative, the proposed Project would not be constructed. The USFWS would not issue grant funds, and construction of the shooting range would not occur. This alternative will not meet the purpose and need of the proposed Project.

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# Affected Environment

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The purpose of this section is to establish the background conditions of the proposed Project area and its surroundings. These background conditions will assist in making determinations as to any impact, if any, that the Proposed Action Alternative will have on environmental resources.

## LAND USE

Ecoregions are defined by the Environmental Protection Agency (EPA) as “areas where ecosystems (and the type, quality, and quantity of environmental resources) are generally similar” (EPA 2019). As such, ecoregions serve as delineations of areas with similar ecosystems, geology, landforms, soils, vegetation, climate, land use, hydrology, and environmental resources (Woods et al. 2005; EPA 2019). In the United States, these regions are separated into four hierarchical levels of classification (Levels I-IV), which delineate ecologically distinctive areas across the country with incremental levels of detail. The Level I ecoregions define the general similarities across a broad region of the country and each subsequent Level is nestled within the previous level(s), providing more details about a location than the previous level. As a result, the United States is subdivided into 12 broad Level I ecoregions, 25 Level II ecoregions, 105 Level III ecoregions, and 967 detailed Level IV ecoregions (EPA 2019).

Within this context, North Dakota falls entirely within the Great Plains Level I ecoregion which is split between the Temperate Prairies Level II ecoregion in the eastern part of the state and the West-Central Semi-Arid Prairies Level II ecoregion in the western part of the state (EPA 2021). North Dakota is further subdivided into 4 Level III ecoregions and 25 Level IV ecoregions (EPA 2019). The ecoregions as they apply to this proposed Project are discussed below.

The currently proposed Project is situated within the Great Plains Level I ecoregion, the Temperate Prairies Level II ecoregion, the Lake Agassiz Plain Level III ecoregion, and the Beach Ridges and Sand Deltas Level IV ecoregion.

The Lake Agassiz Plain Level III ecoregion is extremely flat and has fewer lakes and pothole wetlands as compared to nearby ecoregions (Bryce et al. 1996). Historically, this ecoregion was dominated by tallgrass prairie. However, intensive agricultural practices have replaced most historic tallgrass prairie (Bryce et al. 1996).

The Beach Ridges and Sand Deltas Level IV ecoregion interrupts the flat and farmed Lake Agassiz Plain ecoregion (Bryce et al. 1996). Beach ridges in this ecoregion appear as parallel lines of sand and gravel formed by wave action during the inundation of the ancient, glacial Lake Agassiz (Bryce et al. 1996). In this ecoregion, sand deltas occur where major rivers entered Lake Agassiz (Bryce et al. 1996). A high erosion risk exists in the sand dune areas (Bryce et al. 1996).

The landscape surrounding the proposed Project consists of agricultural crop land, hayfields, prairie pothole wetlands, and interspersed residential and agricultural developments. Based on historic aerial imagery (1990, 2020), the proposed Project is located on a combination of upland and wetland habitat that appears to have been used as a hayfield in past years.

## WATER RESOURCES

The proposed Project is within a broader landscape which has frequent prairie pothole depressions, which is consistent with the proposed Project area. A wet sedge meadow dominates much of the parcel, with the proposed Project being within a wet sedge meadow which makes up 76.18 acres of the 82.5-acre proposed

Project area. The remaining 6.32 acres is upland grassland habitat, which is where the majority of the proposed Project would be constructed (**Figure 3**).

Section 10 of the Rivers and Harbors Act prohibits unauthorized obstruction or alteration of any navigable water of the United States. It provides protection from work affecting the course, location, condition or physical capacity of such waters without appropriate authorization from the United States Army Corps of Engineers (USACE). The closest Section 10 waterway is the Bois de Sioux River approximately 19 miles east of the proposed Project (USACE 2012). The proposed Project contains no aquatic resources that are present within Section 10 waterways.

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 EPA. Wetlands that are not under the jurisdiction of the USACE are protected by Executive Order (EO) 11990, Protection of Wetlands which requires no net loss of wetlands as a result of a federal action. The USACE determined that the water resources present in the proposed Project area are non-jurisdictional and, therefore, do not require a Section 404 permit (USACE 2021, **Appendix B**).

Groundwater exists in the saturated zones beneath the ground surface. Sole-sources 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. The proposed Project is within the Milnor Channel aquifer with depth to water levels ranging from 2 to 30 feet. There are no sole-source aquifers located near the proposed Project area. The closest domestic groundwater well is 0.76 miles northeast of the proposed Project area, with static water at 18 feet below the ground surface. There are no documented domestic groundwater wells within the proposed Project area (NDDWR 2023).

## SOILS

Four soil map units were present within the proposed Project area (NRCS 2023). These soils are considered to be predominantly hydric soils. Most of the proposed Project area occurs on Arveson loam (I220A), accounting for approximately 64.2 percent of the proposed Project area. Mantador-Delamere-Wyndmere fine sandy loams (I215A), Borup silt loam (I205A), and Southam silty clay loam (I428A) make up the remaining percentages of the soils in the proposed Project area. Please refer to **Figure 4** and **Table 1** for an overview of the identified soils within the proposed Project area.

**Table 1.** Soil Map Units within the Proposed Project Area.

Map Unit Symbol	Map Unit Name	Hydric Soil Rating	Acres in Project Area	Percent of Project Area
I220A	Arveson loam, 0 to 1 percent slopes	Hydric	52.9	64.2%
I215A	Mantador-Delamere-Wyndmere fine sandy loam, 0 to 2 percent slopes	Hydric	16.3	19.7%
I205A	Borup silt loam, 0 to 1 percent slopes, frequently ponded	Hydric	10.1	12.2%
I428A	Southam silty clay loam, 0 to 1 percent slopes	Hydric	3.2	3.9%

## AIR QUALITY

The Clean Air Act (CAA) of 1970 (42 USC 7401 et seq.), as amended in 1977 and 1990, is the basic federal statute governing air pollution and administered by the EPA. The CAA and supporting regulations establish emissions standards for air pollutants. The Proposed Action Alternative would violate the CAA if emissions are above standards outlined in the CAA.

The North Dakota 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 Fargo, North Dakota which is about 60 miles northeast of the proposed Project area. According to the North Dakota Department of Health’s 2022 Ambient Air Quality Monitoring Program Network Plan with Data Summary (EPA 2022), the entire state of North Dakota is in attainment for all criteria pollutants; meaning the measurements obtained of the criteria pollutants did not exceed federal or state standards in 2021.

## THREATENED AND ENDANGERED RESOURCES

The federal Endangered Species Act (ESA) protects specific plant and wildlife species and their habitats. A search through the USFWS Information for Planning and Consultation (IPaC) application identified three (3) species listed as threatened, endangered, and candidate under the ESA and two (2) areas of critical habitat within a one-mile buffer surrounding the proposed Project area (USFWS 2023a, **Table 2**). For the Poweshiek skipperling, only the critical habitat was identified due to the fact that the Poweshiek skipperling is currently extirpated from North Dakota.

**Table 2.** List of Federally Protected Resources within One-Mile of the Proposed Project Area.

Common Name	Scientific Name	Designation
<b>Insects</b>		
Dakota Skipper	<i>Hesperia dacotae</i>	Threatened/Critical Habitat
Monarch Butterfly	<i>Danaus plexippus</i>	Candidate
Poweshiek Skipperling	<i>Oarisma poweshiek</i>	Endangered/Critical Habitat
<b>Flowering Plants</b>		
Western Prairie Fringed Orchid	<i>Platanthera praeclara</i>	Threatened

### Dakota Skipper (*Hesperia dacotae*)

The Dakota skipper is listed as Threatened wherever found (USFWS 2023b). The species was added to the endangered species list in 2014 (USFWS 2014). The Dakota skipper is a small butterfly found in the tallgrass and mixed grass prairies of the Northern Great Plains. Dakota skippers have a single flight per year occurring from the middle of June through the end of July (Dana 1991). Current data suggests that dispersal of Dakota skipper is very limited (USFWS 2021a), and individuals may be incapable of moving greater than 0.6 miles between patches of prairie habitat separated by structurally similar habitats (Cochrane and Delphey 2002). Dakota skipper habitat has been categorized into two main types, both of which can meet the composition needed to support the entire life cycle of the species. “Type A” habitat is low, wet-mesic prairie on near-shore glacial lake deposits, dominated by bluestem grasses (USFWS 2021a). “Type B” habitat occurs on rolling terrain over gravelly glacial moraine deposits and is dominated by bluestems and needle grasses (*Hesperostipa* spp., USFWS 2021a). The USFWS designated critical habitat, encompassing 19,903 acres, for the Dakota skipper in North Dakota, South Dakota and Minnesota (USFWS 2015). In North Dakota, Dakota skipper critical habitat areas are located northwest of New Town, ND, east of Minot, ND, near Dunseith, ND, and near Wyndemere, ND (USFWS 2023b).

Potential habitat within the eastern half of North Dakota would be “Type A” habitat. Due to the fact that the disturbance area is previously disturbed hay land, the requirements for habitat for the Dakota skipper are not met. Therefore, suitable habitat for the Dakota skipper was not present within the disturbance area. The nearest portion of critical habitat for the Dakota skipper is 0.1 miles north of the proposed Project area (**Figure 5**).



### **Monarch Butterfly (*Danaus plexippus*)**

The Monarch butterfly is listed as Candidate (USFWS 2023c). The Monarch butterfly inhabits a variety of habitats across North America, but are known to rely on milkweed (*Asclepias* spp.) as a host plant for egg and larval development. Migrating Monarchs east of the Rocky Mountains are well-documented and better understood than populations west of the Rocky Mountains (Dingle et al. 2005). In general, eastern inland Monarchs converge in Mexico each fall and overwinter, and Monarchs on the east coast migrate to Florida to overwinter (Knight and Brower 2009). On the other hand, most western populations move to southern California or congregate in Mexico to overwinter. As temperatures begin to rise in the spring, Monarchs return to their summer habitats in the northern US or southern Canada migrating  $\leq 3600$  km taking about 75 days to make the journey (UWYO 2023). Three to five generations of butterflies make the journey annually with individuals stopping at milkweeds to lay eggs and blooming flowers to feed along the way (UWYO 2023). Monarch butterflies may be found in open places, native prairie, foothills, open valley bottoms, open weedy fields, roadsides, pastures, marshes, suburban areas, rarely above treeline in alpine terrain during migration (Scott 1986, Opler and Wright 1999, Glassberg 2001, Pyle 2002). As the butterflies move north, they begin laying eggs in March and this continues throughout the summer. Monarch butterflies are found throughout North Dakota, but areas with higher densities of native plants would be more likely to support monarch butterflies (NDGF 2015).

No potential breeding habitat for the monarch butterfly was present in the disturbance area due to the lack of the obligate milkweed (*Asclepias* sp.) host plant in the disturbance area. Further, native plants were absent from the disturbance area.

### **Poweshiek Skipperling (*Oarisma poweshiek*)**

The Poweshiek skipperling is listed as Endangered. They are a small butterfly closely associated with native prairies in 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 from North Dakota. The USFWS designated critical habitat, encompassing 25,888 acres, for the Poweshiek skipperling in Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin (USFWS 2015). Poweshiek skipperling habitat is found in high quality native grassland tracts. Preferred areas are considered wet-to-dry prairie with mesic hillsides near low moist areas with undisturbed habitat (USFWS 2015). In North Dakota, Poweshiek skipperling critical habitat is limited to Richland County (USFWS 2015).

No suitable habitat for the Poweshiek skipperling was present within the disturbance area. The disturbance area is actively managed as hay land which would prevent the requirements for suitable habitat to become established. The nearest portion of critical habitat for the Poweshiek skipperling is 0.1 miles north of the proposed Project area (**Figure 5**).

### **Western Prairie Fringed Orchid (*Platanthera praeclara*)**

The western prairie fringed orchid is listed as Threatened wherever found (USFWS 2023d). The species was added to the endangered species list in 1989 (USFWS 1989). The species is known to occur at 175 sites in 8 ecoregions in the U.S. and Canada (USFWS 1996). Preferred habitat for this species is unplowed, calcareous prairies and sedge meadows; but the species has also occurred in successional plant communities in borrow pits, old fields, and roadside ditches (USFWS 1996). Habitat conditions vary geographically, with some populations occurring where standing water is present and others in areas of shallow soil over bedrock, with little water (USFWS 2021b). Data may suggest the species is expanding northward (USFWS 2021b). The main historic threat to the species was loss of habitat to cropland, changes in hydrology, and other land management activities such as burning, grazing, and mowing (USFWS 1996). Contemporary threats include loss of remnant prairies, spread of non-native species, shrubification, and changes in hydrology (USFWS 2021b). In North Dakota, it is commonly found with sedges, reedgrass, and rushes or

where those plants meet big bluestem, little bluestem, and switchgrass (USFWS 1989). This species begins to flower by late June or early July (USFWS 1989). The western prairie fringed orchid is well adapted to survive fires and light grazing does not appear to negatively affect the species (USFWS 1989).

The proposed Project is within the known range of this species in North Dakota. However, no western prairie fringed orchids were found within the disturbance area. Suitable habitat was not present within the disturbance area due to the frequently managed hay land present within the disturbance area.

## WILDLIFE RESOURCES

The federal Bald and Golden Eagle Protection Act (BGEPA) protects bald and golden eagle and their nests. Suitable habitat for the bald and golden eagle was present nearby the proposed Project area. The nearest historical detection of a bald eagle was approximately 0.14 miles east of the proposed Project area (**Figure 5**). No historic or active bald or golden eagle nests were observed within the proposed Project area during field survey efforts.

The federal Migratory Bird Treaty Act (MBTA) protects migratory bird species and their nests. Wetlands and riparian areas in nearby streams and lakes may provide migratory bird nesting habitat for waterfowl or shorebirds. Common migratory birds within Richland County, North Dakota include the bobolink, black-billed cuckoo, red-headed woodpecker, ruddy turnstone, western grebe, and willet. During field survey efforts, no migratory bird species and/or their nests were observed within the disturbance area. A potential reason why migratory birds and their nests were not present within the disturbance is because of the site history of agricultural activities. The wetland/grassland habitat of the disturbance area was recently established, and appeared disturbed by agricultural activities.

The disturbance area has been historically used for agricultural activities and is on an upland hilltop within a wet sedge meadow. Common animals found in this part of North Dakota which also may be found within the proposed Project area include, but are not limited to, white-tailed deer, waterfowl, water birds, amphibians, and butterflies.

## VEGETATION

The proposed Project area contains a mixture of upland and wetland vegetation communities. Common vegetation within upland communities includes smooth brome (*Bromus inermis*), leafy spurge (*Euphorbia esula*), dogbane (*Apocynum cannabinum*), and American licorice (*Glycyrrhiza lepidota*). Wetland vegetation communities consisted of a variety of sedges, rushes, and grasses with the most common species being woolly sedge (*Carex pellita*), prairie cordgrass (*Spartina pectinata*), and cattail (*Typha latifolia*).

## 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 (FHWA 2003). Human response to increased sound levels varies according to the source type, characteristics of the sound source, distance between the 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 (FHWA 2003).

The proposed Project area is in a rural area with intermittent noise from County Road 11. There are 13 noise receptors within a one-mile radius of the proposed Project area; 10 residences, one wildlife management area (WMA), and two waterfowl production areas (WPA). Please refer to **Table 3** for the locations of these noise receptors.

**Table 3.** Noise Receptors Near the Proposed Project Area.

Noise Receptor	LONG West (Dec. Deg.)	LAT North (Dec. Deg.)	Distance from Project Boundary (miles)
Residence 1	46.079451	-96.956442	0.52
Residence 2	46.062484	-96.976326	0.54
Residence 3	46.077763	-96.950511	0.57
Residence 4	46.078891	-96.951431	0.60
Residence 5	46.078434	-96.950482	0.61
Residence 6	46.077508	-96.948363	0.64
Residence 7	46.059184	-96.954137	0.66
Residence 8	46.079928	-96.947806	0.77
Residence 9	46.067574	-96.987007	0.97
Residence 10	46.054997	-96.951051	0.99
Mud Lake WMA	46.059999	-96.944187	0.91
Hartleben WPA	46.073948	-96.964857	0.13
Bladow WPA	46.066496	-96.979803	0.62

## CULTURAL RESOURCES

Historic properties, or cultural resources, on federal or tribal land are protected by many laws, regulations, and agreements. Section 106 of the National Historic Preservation Act of 1966 (16 USC 470 et seq.) requires, for any federal, federally assisted, or federally licensed undertaking, that the federal agency take into account the effect of that undertaking on any district, site, building, structure, or object included in the National Register of Historic Places (NRHP) before the expenditure of any federal funds or the issuance of any federal license. Cultural resources are a broad term that encompasses sites, objects, and practices of archaeological, historical, cultural, and religious significance. Eligibility criteria (36 CFR 60.4) include association with important events or people in history, distinctive construction or artistic characteristics, and either a record of yielding or a potential to yield information important in regard to prehistory or history. In practice, properties generally are not eligible for the NRHP if they lack diagnostic artifacts, subsurface remains, or structural features, and those considered eligible are treated as though they were listed in the NRHP even when no formal nomination has been filed. This process of considering an undertaking's effect on historic properties is known as "Section 106 review," or more commonly as a "cultural resource inventory."

A Class I literature search and a Class III cultural resource inventory were conducted by Beaver Creek Archaeology (BCA 2021). The file search revealed no sites, no site leads, and no isolated finds within a one-mile radius of the proposed Project area. A field investigation for the proposed Project area revealed no cultural resources. A finding of “*No Historic Properties Affected*” was recommended and concurred with by the ND State Historical Preservation Office on December 16, 2021 (**Appendix E**).

## SOCIOECONOMIC

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

The proposed Project is located just outside the city of Hankinson, North Dakota in Richland County, North Dakota. According to 2019 United States Census data (USCB 2022a), Richland County had a total population of 16,254 people. Approximately 93.0 percent of the population identifies as Caucasian. The second largest race is American Indian accounting for 3.7 percent of the total population.

In 2019, Richland County had a median household income of 61,371 dollars with 10.9 percent of the population whose income in the past 12 months had fallen below the poverty level (USCB 2022*b*). In contrast, the United States had a median household income of 62,843 dollars and 13.4 percent of the population whose income in the past 12 months had fallen below the poverty level (USCB 2022*c*). The unemployment rate in Richland County in December of 2022 was 1.9 percent and was 3.5 percent throughout the United States in December of 2022 (BLS 2023).

The economy in Hankinson, along with Richland County, primarily depends on agriculture and livestock raising. According to the Hankinson city website, economic development is active in the community. The economy is thriving with over 90 businesses within Hankinson (HCDC 2022).

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# Environmental Consequences

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The purpose of this section is to analyze the impacts, if any, of the Proposed Action Alternative and No Action Alternative to environmental resources. These impacts may also include cumulative impacts which are environmental impacts that accumulate either over time or in combination with similar events in the area. Unrelated and dissimilar activities may also have negative impacts on critical elements, thereby contributing to the cumulative degradation of the environment. Past and current disturbances in the vicinity of the Proposed Action Alternative location include agricultural activities, railroad infrastructure, and road infrastructure. Agricultural activities are unlikely to contribute significantly to cumulative effects.

## LAND USE

### Proposed Action Alternative

The proposed Project would alter current land use from an agricultural field to a public shooting range. Project facilities would disturb approximately 4.69 acres for construction of the proposed Project. These impacts would be long term, for the life of the facility.

### No Action Alternative

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

### Cumulative Impacts

The Proposed Action Alternative would convert an agricultural field into a shooting range complex; however, the facilities have been positioned to avoid sensitive land uses. The overall proposed Project footprint is minor and represents a small portion of the potential cumulative effects of intensive farming in the surrounding areas. Overall, the Proposed Action Alternative would not result in significant cumulative impacts to land use.

## WATER RESOURCES

### Proposed Action Alternative

Direct impacts to surface water were avoided to the extent possible through the proposed Project design by locating the majority of the proposed Project on the upland portion of the parcel (**Figure 2** and **Appendix F**). Approximately 1.271 acres of wetland impacts are anticipated to be impacted due to the wet nature of the proposed Project area. The USACE determined all wetlands to be non-jurisdictional within the proposed Project area, therefore mitigation of wetlands would only be for ECO 11990 (**Appendix B**). These impacts would be mitigated through the creation and/or improvement of wetlands on another NDGF owned wildlife management area.

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

According to the EPA's *Best Management Practices for Lead at Outdoor Shooting Ranges* (2005), lead can be introduced into the environment through one or more pathways, with each pathway being site-specific and may or may not occur at individual shooting ranges. These pathways include lead oxidizing when exposed to air and dissolving when exposed to acidic water or soil, lead bullets, bullet particles, or dissolved lead being moved by storm water runoff, and dissolved lead migrating through soils to groundwater. The use of lead bullets at the facility does pose a threat to the water quality of the wetlands present within the proposed Project area.

To minimize impacts on water quality, the proposed Project would incorporate the construction of a berm on the end and on the sides of the range to capture bullets (**Appendix F**). The berm would also be planted with a grass seed mixture to minimize runoff. Lead recovery and disposal on the berms would be performed every 10 to 15 years depending on use. Lead recovery and disposal would occur in accordance with the NRA's *Range Building Source Book* (2004) guidelines.

### **No Action Alternative**

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

### **Cumulative Impacts**

During construction activities associated with the Proposed Action Alternative, water resources have the potential of being contaminated with sediment or equipment fluids; 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 within the proposed Project area.

## **SOILS**

### **Proposed Action Alternative**

Surface disturbance caused by construction activities would result in the removal of vegetation from the soil surface. Removal of vegetation could damage soil crusts and destabilize the soil. As a result, the soil surface could become more prone to accelerated erosion by wind and water. The use of heavy equipment may result in soil compaction. When the 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.

Potential chemical contamination of soils could occur if accidental spills or inadvertent leaks of vehicle or other fluids occur during construction activities. 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 facility does pose a threat to soil quality. According to the EPA's *Best Management Practices for Lead at Outdoor Shooting Ranges* (2005), lead can be introduced into the environment through one or more pathways, with each pathway being site-specific and may or may not occur at individual shooting ranges. These pathways include lead oxidizing when exposed to air and dissolving when exposed to acidic water or soil, lead bullets, bullet particles, or dissolved lead being moved by storm water runoff, and dissolved lead migrating through soils to groundwater.

BMPs would be implemented to minimize soil impacts, such as re-seeding inactive areas, erosion control mats, and/or silt fence. To minimize impacts on soil quality, the proposed Project would incorporate the construction of a berm on the end and the sides of the range to capture bullets (**Appendix F**). The berm would also be planted with a grass seed mixture to minimize runoff. Lead recovery and disposal on the

berms would be performed every 10 to 15 years depending on use. Lead recovery and disposal would occur in accordance with the NRA's *Range Building Source Book* (2004) guidelines. Additionally, non-toxic clay pigeons would be utilized.

### **No Action Alternative**

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

### **Cumulative Impacts**

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 Alternative would not contribute to an overall long-term, cumulative loss of soil within the proposed Project area.

## **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. During the operation of the proposed Project, a minimal increase in pollutants would be expected due to vehicle traffic around the proposed Project. These emissions are not anticipated to result in violations of federal or state standards.

### **No Action Alternative**

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

### **Cumulative Impacts**

During construction of the Proposed Action Alternative, exhaust from vehicles and equipment could release regulated pollutants. During the operation of the Proposed Action Alternative, exhaust from vehicles traveling to and from the gun range could release regulated pollutants. However, the exhaust produced from vehicles would be less than the exhaust produced from traveling 180 miles to the closest currently existing public shooting range. The Proposed Action Alternative is expected to be minor and therefore, is not expected to significantly contribute to cumulative impacts on air quality.

## **THREATENED AND ENDANGERED RESOURCES**

### **Dakota Skipper (*Hesperia dacotae*)**

#### **Proposed Action Alternative**

Suitable habitat for the Dakota skipper was absent from the disturbance area. Since construction activities would avoid suitable habitat for the Dakota skipper, no direct impacts are anticipated to the Dakota skipper or its critical habitat. Indirect impacts to the Dakota skipper or its critical habitat could occur if dust produced during construction activities settles onto requisite plant species that this species require for their life cycle. Although there is critical habitat for the Dakota skipper 0.1 miles north of the proposed Project area, dust produced during the construction and the operation of the proposed Project would likely not travel far enough to reach requisite plant species within the critical habitat. Also, dust abatement measures would be used if dust were to be observed being produced during the construction of the proposed Project. Also,

to avoid any potential impacts to the Dakota skipper and its critical habitat, construction would not occur during the adult Dakota skipper flight. This flight occurs in North Dakota from late June to early July. Therefore, direct impacts to the Dakota skipper and its critical habitat are not anticipated due to the Proposed Action Alternative. However, indirect impacts could occur to the Dakota skipper and its critical habitat due to the Proposed Action Alternative if dust produced during the construction and operation of the proposed Project were to land on, and kill, requisite plant species that the Dakota skipper needs to survive. Therefore, the Proposed Action Alternative may affect, but is not likely to adversely affect the Dakota skipper and its critical habitat. On June 8, 2023, the USFWS concurred with this determination (**Appendix D**).

#### **No Action Alternative**

Under the No Action Alternative, construction activities would not occur. Therefore, direct and indirect impacts to the Dakota skipper and its critical habitat would not occur.

#### **Cumulative Impacts**

Under the Proposed Action Alternative, cumulative impacts are not expected to be significant due to the small footprint of the proposed Project. In the context of its surroundings, the proposed Project removes no suitable habitat for the Dakota skipper. However, due to the proximity of the proposed Project to the designated critical habitat for the Dakota skipper, the proposed Project could lead to further habitat fragmentation which could reduce the viability of the Dakota skipper. However, agricultural activities in the surrounding area are fragmenting the habitat of the Dakota skipper at a much larger scale and, therefore, the proposed Project itself would have no significant cumulative impacts on the Dakota skipper or its critical habitat.

#### **Monarch Butterfly (*Danaus plexippus*)**

##### **Proposed Action Alternative**

Suitable habitat for the Monarch butterfly was absent from the disturbance area. Since construction activities would avoid suitable habitat for the Monarch butterfly, no direct impacts are anticipated to the Monarch butterfly. Indirect impacts to the Monarch butterfly could occur if dust produced during construction activities settles onto requisite plant species that this species require for their life cycle. However, dust abatement measures would be used if dust were to be observed being produced during the construction of the proposed Project. Also, requisite plant species for the Monarch butterfly, and other native plant species, are absent in the immediate vicinity of the disturbance area. Therefore, direct impacts to the Monarch butterfly are not anticipated due to the Proposed Action Alternative. However, indirect impacts could occur to the Monarch butterfly due to the Proposed Action Alternative if dust produced during the construction and/or operation of the proposed Project were to land on, and kill, requisite plant species that the Monarch butterfly need to survive. Therefore, the Proposed Action Alternative will not affect the Monarch butterfly.

##### **No Action Alternative**

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

##### **Cumulative Impacts**

Under the Proposed Action Alternative, cumulative impacts are not expected to be significant due to the small footprint of the proposed Project. No suitable habitat for the Monarch butterfly would be removed. The Proposed Action Alternative could contribute to the continued habitat fragmentation that threatens the long-term viability of the Monarch butterfly, but in the context of the surrounding landscape, the Proposed Action Alternative would not significantly contribute to cumulative impacts in this region. This is due, in part, to the frequency and intensiveness of agricultural activities surrounding the proposed Project area which would contribute significantly to cumulative impacts on the Monarch butterfly relative to the Proposed Action Alternative.



## **Poweshiek Skipperling (*Oarisma poweshiek*)**

### **Proposed Action Alternative**

Since no suitable habitat for the Poweshiek skipperling was present within the disturbance area, no direct impacts to the Poweshiek skipperling or its critical habitat are anticipated. However, since the critical habitat is in close proximity (0.1 miles) to the proposed Project area, indirect impacts could occur to the Poweshiek skipperling and its critical habitat. Indirect impacts could include dust produced from the construction and operation of the proposed Project landing on requisite plant species for the Poweshiek skipperling. This could reduce the overall quality of the critical habitat and further lead to the decline in viability of the Poweshiek skipperling. In order to mitigate these potential impacts, dust abatement measures would be implemented if dust concerns are observed during the construction of the proposed Project. Therefore, direct impacts to the Poweshiek skipperling and its critical habitat resulting from the Proposed Action Alternative are not expected. Indirect impacts could occur if dust produced from the Proposed Action Alternative were to settle on and kill requisite plant species for the Poweshiek skipperling thereby reducing the quality of this patch of critical habitat for the Poweshiek skipperling. Therefore, the Proposed Action Alternative may affect, but is not likely to adversely affect the Poweshiek skipperling and its critical habitat. On June 8, 2023, the USFWS concurred with this determination (**Appendix D**).

### **No Action Alternative**

Under the No Action Alternative, construction activities would not occur. Therefore, direct and indirect impacts to the Poweshiek skipperling or its critical habitat would not occur.

### **Cumulative Impacts**

Under the Proposed Action Alternative, no significant cumulative impacts are anticipated to the Poweshiek skipperling or its critical habitat. Since no suitable habitat will be directly affected by the Proposed Action Alternative, cumulative impacts will not occur. Further, dust issues as noted above are unlikely to affect the critical habitat because of the distance (0.1 miles) from the proposed Project area. Therefore, since indirect and direct impacts are unlikely, cumulative impacts to the Poweshiek skipperling and its critical habitat are not anticipated.

## **Western Prairie Fringed Orchid (*Platanthera praeclara*)**

### **Proposed Action Alternative**

The Proposed Action Alternative would have no direct impacts on the western prairie fringed orchid because of the lack of orchid individuals and suitable habitat for this species within the disturbance area. However, since the disturbance area is within the known range of this species in North Dakota, and since suitable habitat could be present within the immediate vicinity of the disturbance area, indirect impacts could occur to the western prairie fringed orchid. These indirect impacts could occur if dust produced during the construction and/or operation of the proposed Project were to land on orchid individuals which could lead to their death. Dust abatement measures would be used if dust were to be observed being produced during the construction of the proposed Project in order to mitigate these potential impacts. Therefore, the Proposed Action Alternative is not anticipated to have direct impacts on the western prairie fringed orchid but it could have indirect impacts on the species. Therefore, the Proposed Action Alternative may affect but is not likely to adversely affect the Western prairie fringed orchid. On June 8, 2023, the USFWS concurred with this determination (**Appendix D**).

### **No Action Alternative**

Under the No Action Alternative, construction activities would not occur. Therefore, direct and indirect impacts to the western prairie fringed orchid would not occur.

### **Cumulative Impacts**

Under the Proposed Action Alternative, significant cumulative impacts are not anticipated to the western prairie fringed orchid. Although the Proposed Action Alternative may remove potential habitat for the species, it is unlikely that this species would ever reclaim the land that the proposed Project would be built on. This is due to the fact that the land the proposed Project would be built on has a history of hay cultivation which the Western prairie fringed orchid has difficulty growing in. Therefore, the Proposed Action Alternative would have no significant cumulative impacts on this species.

## **WILDLIFE RESOURCES**

### **Proposed Action Alternative**

Since no known bald or golden eagle nests are present within the disturbance area, the Proposed Action Alternative will not directly impact the species protected under the BGEPA. Indirect impacts could occur to the bald and golden eagle since suitable habitat is present within the immediate surroundings of the proposed Project area. However, since no suitable habitat for the bald and golden eagle will be directly impacted, the Proposed Action Alternative is not anticipated to impact species protected under the BGEPA.

Since migratory birds and/or their nests were not observed within the disturbance area during field survey efforts, direct impacts to migratory birds are not anticipated due to the Proposed Action Alternative. Additionally, the disturbance area has been previously disturbed by agricultural activities thereby further reducing the potential of migratory birds to use the disturbance area as nesting habitat. However, suitable habitat for migratory birds is present within the immediate surroundings of the proposed Project area. Therefore, indirect impacts to migratory birds may occur due to the Proposed Action Alternative if the Proposed Action Alternative were to impact the hunting/feeding/foraging uses of the proposed Project area by migratory birds. In order to minimize the effects of the Proposed Action Alternative on migratory birds, all prudent, reasonable, and effective mitigation measures will be implemented.

Due to the small footprint of the proposed Project, direct and indirect impacts to other wildlife resources within the proposed Project area and its surroundings would be minor.

### **No Action Alternative**

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

### **Cumulative Impacts**

Under the Proposed Action Alternative, cumulative impacts to wildlife resources would be minor due to the relatively small footprint of the proposed Project in the context of other disturbances surrounding the proposed Project area including agricultural activities, road infrastructure, railroad infrastructure, and residential developments. Although the Proposed Action Alternative would contribute to the continued fragmentation of habitat, it would have a minor effect relative to other disturbances within the vicinity of the proposed Project. Therefore, the Proposed Action Alternative is not expected to significantly contribute to cumulative impacts to wildlife resources.

## **VEGETATION**

### **Proposed Action Alternative**

As part of the construction of the Proposed Action Alternative, vegetation would be cleared within the proposed Project footprint. Once the Proposed Action Alternative is completed, the disturbed land on the outer edges of the proposed Project would be reseeded. Areas where shooting would occur and where parking would be available would not be seeded, and would remain gravel surface or bare ground.

## **No Action Alternative**

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

## **Cumulative Impacts**

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 immediately surrounding the disturbance area. However, vegetation within the disturbance area would not be reclaimed. However, the small footprint of the proposed Project in relation to intensive agricultural activities surrounding the proposed Project area makes these cumulative impacts insignificant. Additionally, 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 Alternative will have insignificant cumulative impacts on vegetation.

## **NOISE**

### **Proposed Action Alternative**

Construction activities would result in temporary noise increase due to operation of construction equipment. This impact would be short term and temporary. Long term noise increases would be expected during operation of the gun range. Impacts would be mitigated by limiting the shooting hours to only hours between sunrise and sunset.

### **No Action Alternative**

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

### **Cumulative Impacts**

Noise from construction activities associated with the Proposed Action Alternative would be temporary. Noise associated with gun fire during the operation of the Proposed Action Alternative would be noticeable and contribute to cumulative impacts; however, proposed mitigation measures would reduce the cumulative impacts. Therefore, the increased noise from the Proposed Action Alternative would not be expected to result in cumulative impacts to noise, which is defined as any sound that is undesirable because it interferes with communication, is intense enough to damage hearing, or is otherwise annoying (FHWA 2003).

## **CULTURAL RESOURCES**

### **Proposed Action Alternative**

Since all construction activities are proposed to take place within the disturbance area, and no cultural resources were documented within the disturbance area, the Proposed Action Alternative would not result in any adverse effects to historical, archaeological, architectural or cultural resources.

### **No Action Alternative**

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

### **Cumulative Impacts**

The Proposed Action Alternative would have no impact on cultural resources and thus would not contribute to cumulative impacts on cultural resources.

### **SOCIOECONOMIC**

#### **Proposed Action Alternative**

The Proposed Action Alternative has the potential to draw individuals from around the region to utilize the proposed Project. This may indirectly benefit the local economy from commerce to local businesses.

#### **No Action Alternative**

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

### **Cumulative Impacts**

The Proposed Action Alternative is anticipated to have a beneficial impact to Brightwood Township, North Dakota, Hankinson, North Dakota and Richland County, North Dakota by providing a safe and accessible public shooting range facility. Additionally, the Proposed Action Alternative may result in indirect economic benefits to local business owners resulting from construction workers or visitors expending money on food, lodging and other necessities while visiting the facility. The contribution of the proposed Project is expected to be beneficial; however, it is not expected to be significant.

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## Agency Consultation and Coordination

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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
  - State Historical Society of North Dakota
- Local
  - Brightwood Township Board

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## Public Involvement

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A Brightwood Township Board zoning meeting occurred on May 10, 2023 where the Proposed Action Alternative was approved (**Appendix C**). In order to advertise this Brightwood Township Board zoning meeting, two advertisements were run in the local newspaper, the Hankinson News Monitor, on April 25, 2023 and May 2, 2023.

When the NDGF was in the process of purchasing the land where the proposed Project is to be constructed, the NDGF sent out a letter to all private landowners within one-mile of the proposed Project seeking comment on the proposed Project (**Appendix C**). A letter seeking comment was also sent to the Richland County Commission, Hankinson City Council, and Brightwood Township Board (**Appendix C**). One comment was returned by a concerned citizen (**Table 4**).

The acquisition of the property where the proposed Project would be located by the NDGF was approved by the Richland County Commission in a video conference meeting conducted on June 16, 2020. The meeting notes for this meeting are provided in **Appendix C**.

**Table 4.** Comments Received.

<b>Individual</b>	<b>Date</b>	<b>Comment</b>
Leslie Whitt	6/22/2020	Concerned with the safety of the range. Also concerned with the proposed Project location due to the expensive nature of construction associated with the proposed Project location.

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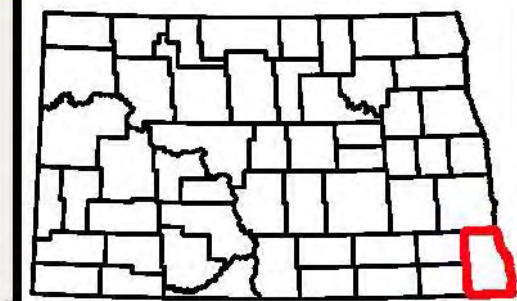
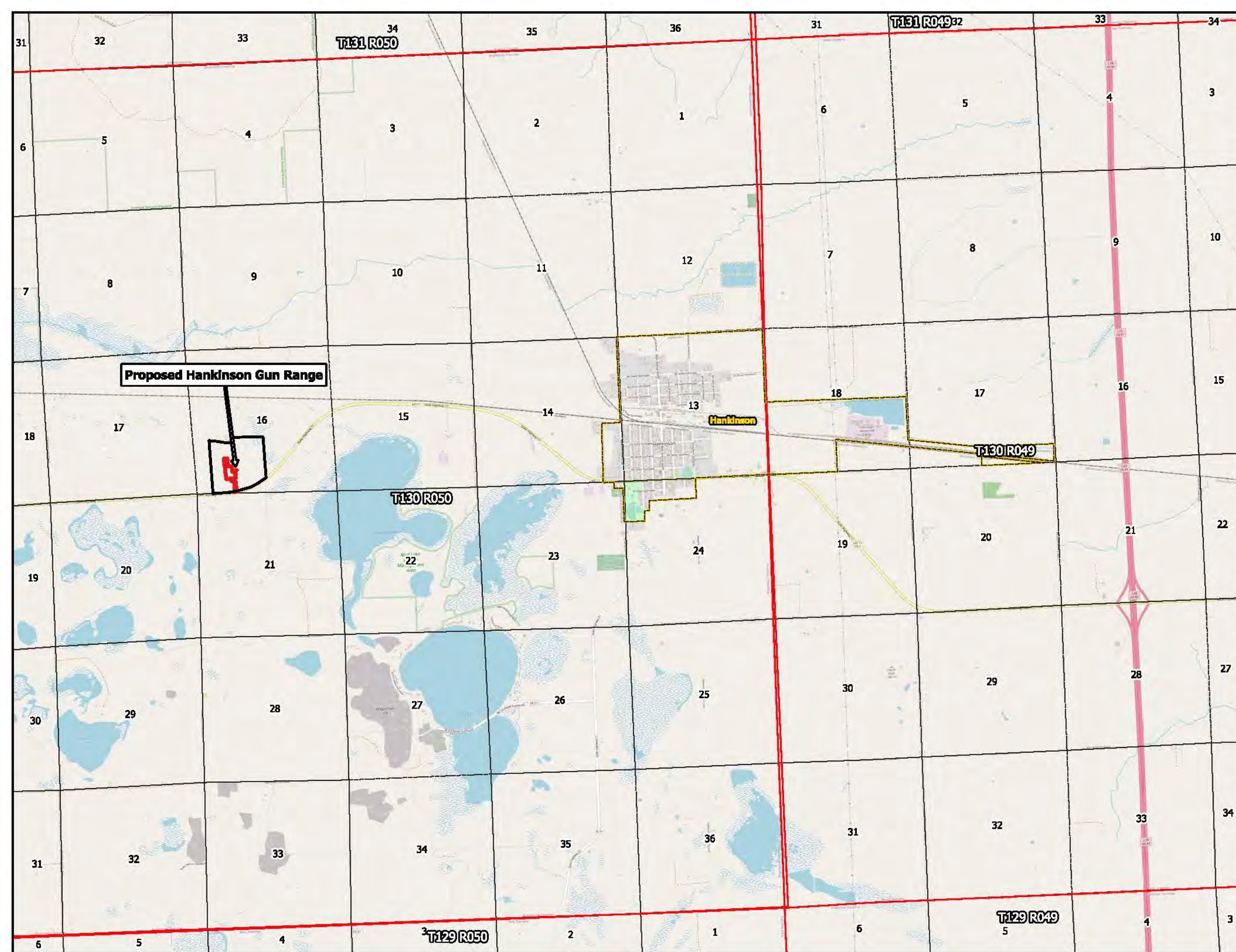


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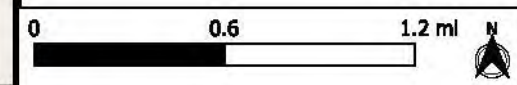
## **Appendix A – Maps**

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**Richland County, North Dakota**

-  Proposed Project Area
-  Disturbance Area
-  City Boundary
-  Sections
-  Townships

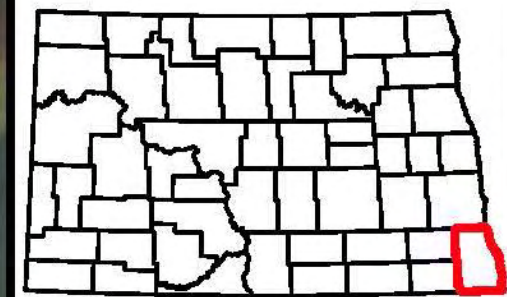


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 Project Name: Hankinson Gun Range  
 Background Imagery: OSM Standard






**PROJECT LOCATION**  
**Hankinson Gun Range**  
**ND Game and Fish Department**

**Figure 1**



**Richland County, North Dakota**

-  Disturbance Area
-  Proposed Project Area
-  Sections



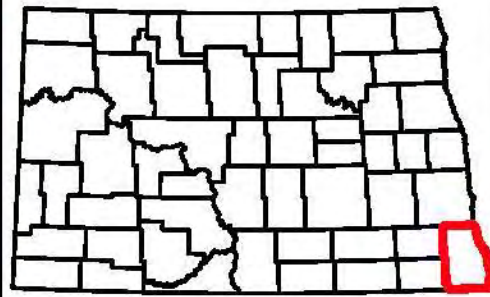
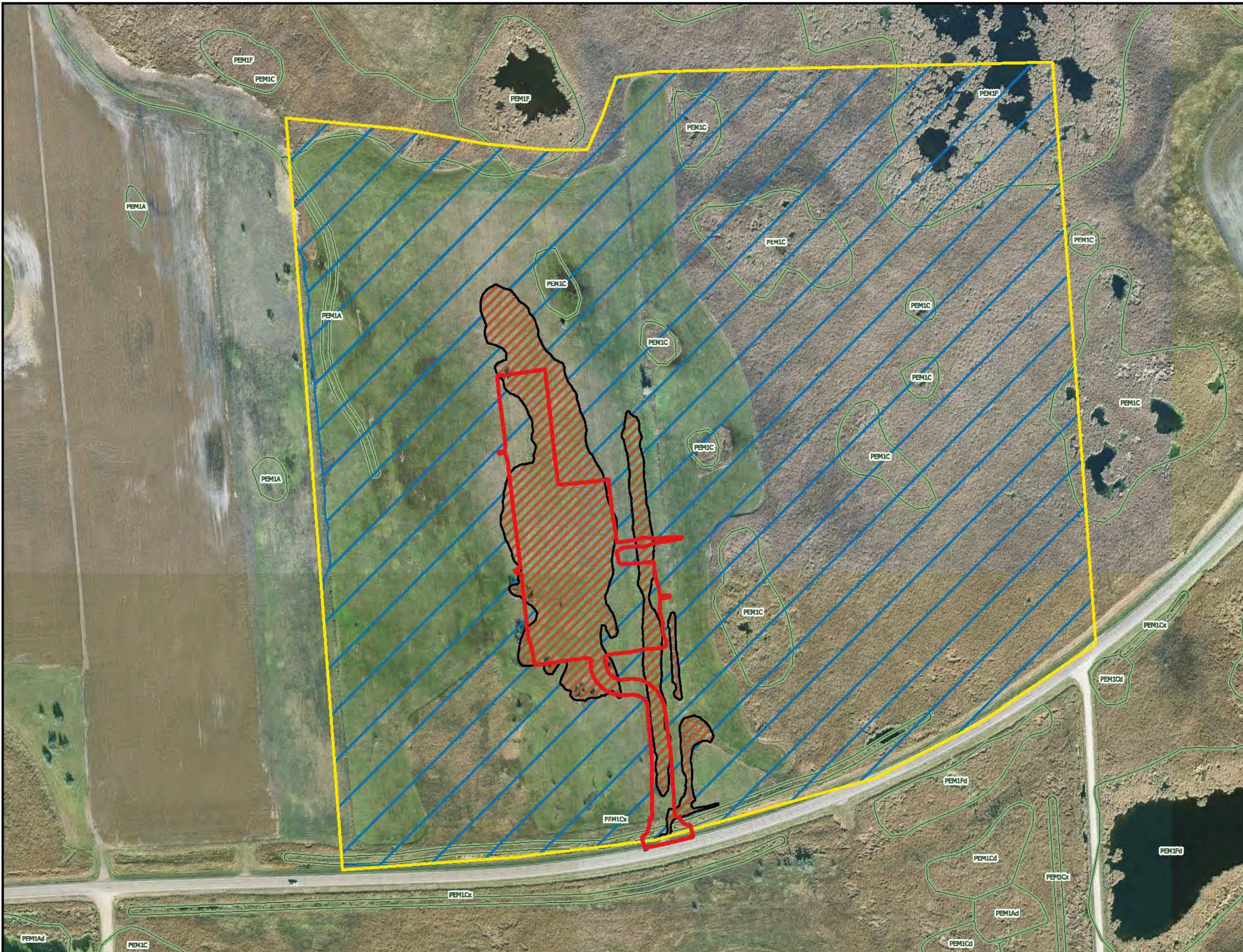
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**PROJECT OVERVIEW**

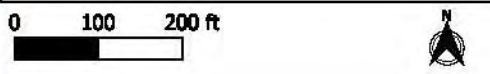
**Hankinson Gun Range**  
**ND Game and Fish Department**

**Figure 2**



**Richland County, North Dakota**

- Disturbance Area
- Proposed Project Area
- Uplands (BCE)
- Delineated Wetlands (BCE)
- NWI

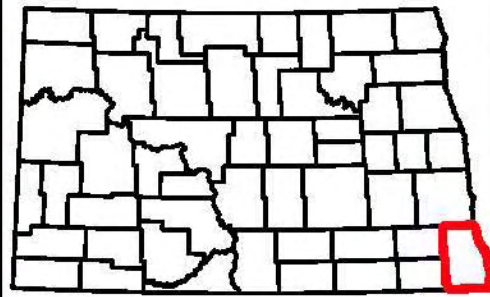


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**WATER RESOURCES**  
  
**Hankinson Gun Range**  
**ND Game and Fish Department**

**Figure 3**



**Richland County, North Dakota**

- ▭ Disturbance Area
- ▭ Proposed Project Area
- ▭ Soil Map Units

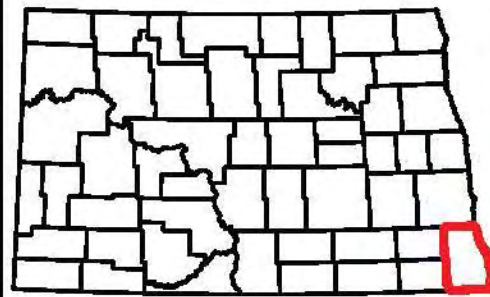
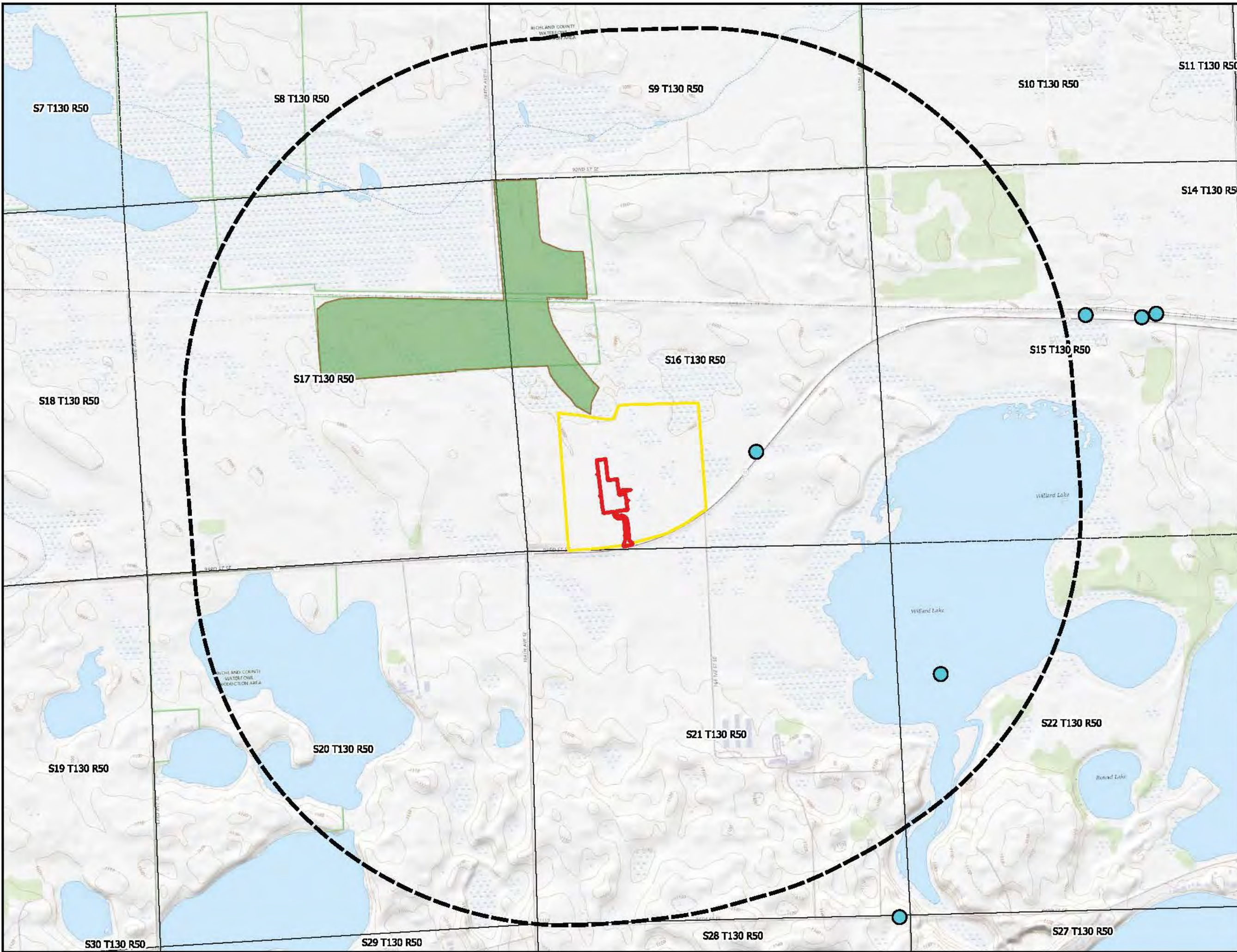


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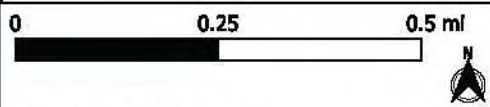
**SOILS**  
**Hankinson Gun Range**  
**ND Game and Fish Department**

**Figure 4**



**Richland County, North Dakota**

-  1 Mile Buffer
-  Disturbance Area
-  Proposed Project Area
-  Poweshiek Skipperling and Dakota Skipper Designated Critical Habitat
-  Sections
- Historic Bird Points
-  Bald Eagle



Drawn by: AGoblirsch  
 Map Date: 2023-12-08 15:06:59  
 Project Name: Hankinson Gun Range  
 Background Imagery: USGS Topo Map: Hankinson



**WILDLIFE RESOURCES**  
  
**Hankinson Gun Range**  
**ND Game and Fish Department**

**Figure 5**

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## **Appendix B – Approved Jurisdictional Determination**

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

August 23, 2021

NWO-2021-01354-BIS

Beaver Creek, Inc.  
Attn: Mr. Luke Toso  
1632 Capitol Way  
Bismarck, North Dakota 58501

Dear Mr. Toso:

We are responding to your July 26, 2021 request for an approved jurisdictional determination for the Hankinson Gun Range Construction, Richland County site. The approximately 83-acre project site is located near Wild Rice River, Latitude 46.06964°, Longitude -96.9632°, Richland County, North Dakota.

All waters associated with this project and identified in the July 15, 2021 "Hankinson Gun Range Aquatic Resource Delineation Report" are non-jurisdictional waters. As such, these waters are not currently regulated by the Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act. Other Federal, State, and local laws may apply to your activities. **Work in these waters do not require a Section 404 permit verification.**

An approved (JD) has been completed for the wetland areas identified in your request and is enclosed for your information. The JD may also be viewed at our website located at: <http://www.nwo.usace.army.mil/Missions/Regulatory-Program/North-Dakota/Jurisdictional-Determination.aspx>. The JD will be available on the website within 30 days. You may also request copies of the supporting materials the Corps used in determining this JD. If you are not in agreement with the JD, you may request an administrative appeal under Corps regulations found at 33 CFR 331. The request for appeal (copy enclosed) must be received within 60 days from the date of this correspondence [Date of Letter]. If you would like more information on the jurisdictional appeal process, contact this office. It is not necessary to submit a Request for Appeal if you do not object to the JD. The JD will be valid for a period of 5 years from the date of this letter.

This determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331.

A Notification of Appeal Process (NAP) and Request for Appeal (RFA) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the Northwestern Division Office at the following address: U.S. Army Corps of Engineers, Northwestern Division, Attn: Regulatory Appeals Review Officer, P.O. Box 2870, Portland, Oregon 97208-2870.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 60 days from the date of this letter. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer service survey found on our website at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

Please refer to identification number NWO-2021-01354-BIS in any correspondence concerning this project. If you have any questions, please contact me at North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504, by email at [Patricia.L.McQueary@usace.army.mil](mailto:Patricia.L.McQueary@usace.army.mil), or telephone at (701) 255-0015. For more information regarding our program, please visit our website at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx>.

Sincerely,

A handwritten signature in blue ink that reads "Patricia L. McQueary". The signature is written in a cursive style with a large initial "P" and "M".

Patricia L. McQueary  
State Program Manager  
North Dakota

Enclosures

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: North Dakota Game and Fish Department		File Number: NWO-2021-01354-BIS	Date: August 23, 2021
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found in Corps regulations at 33 CFR Part 331, or at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/FederalRegulation.aspx>

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:  
US Army Corps of Engineers, North Dakota Regulatory Office  
Attn: Patricia McQueary, Regulatory Program Manager  
3319 University Drive  
Bismarck, ND 58504 Telephone (701) 255-0015, ext. 2001  
CENWO-OD-RND@usace.army.mil

If you only have questions regarding the appeal process you may also contact:  
US Army Corps of Engineers, Northwestern Division  
Attn: Regulatory Appeals Review Officer  
P.O. Box 2870  
Portland, OR 97208-2870

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

<hr/> Signature of appellant or agent.	Date:	Telephone number:
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**U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE**

**I. ADMINISTRATIVE INFORMATION**

Completion Date of Approved Jurisdictional Determination (AJD): 23 August 2021

ORM Number: NWO-2021-01354-BIS

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: ND City: County/Parish/Borough: Richland County

Center Coordinates of Review Area: Latitude 46.069645 Longitude -96.963217

**II. FINDINGS**

**A. Summary:** Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
- There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

**B. Rivers and Harbors Act of 1899 Section 10 [(a)10]<sup>2</sup>**

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

**C. Clean Water Act Section 404**

**Territorial Seas and Traditional Navigable Waters ((a)(1) waters)<sup>3</sup>**

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

**Tributaries ((a)(2) waters):**

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	N/A	N/A

**Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):**

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

**Adjacent wetlands ((a)(4) waters):**

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	N/A	N/A

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE

**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
NVVO-2021-01354-BIS	76.18 acres	(b)(1) Non-adjacent wetland	There is no evidence that this wetland has a direct surface water connection to a downstream aquatic resource and is, therefore, considered to be non-jurisdictional by rule.

**III. SUPPORTING INFORMATION**

**A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.**

- X Information submitted by, or on behalf of, the applicant/consultant: *Hankinson Gun Range Aquatic Resource Delineation Report, July 2021*  
This information is sufficient for purposes of this AJD.  
Rationale: *N/A or describe rationale for insufficiency (including partial insufficiency).*
- \_\_\_ Data sheets prepared by the Corps: *Title(s) and/or date(s).*
- X Photographs: *ND GIS Hub, Google Earth Pro, USGS National Map (20210726)*  
Corps Site visit(s) conducted on: *Date(s).*
- \_\_\_ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*
- \_\_\_ Antecedent Precipitation Tool: provide detailed discussion in Section III. B.
- X USDA NRCS Soil Survey: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> (20210726)
- X USFWS NWI maps: <https://www.fws.gov/wetlands/data/mapper.html> (20210726)
- X USGS topographic maps: <https://apps.nationalmap.gov/viewer/> (20210727)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	<a href="https://apps.nationalmap.gov/viewer/">https://apps.nationalmap.gov/viewer/</a>
USDA Sources	<a href="https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx">https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx</a>
NOAA Sources	N/A.
USACE Sources	N/A.
ND GIS Hub Explorer	<a href="https://www.nd.gov/gis/apps/HubExplorerV2/">https://www.nd.gov/gis/apps/HubExplorerV2/</a>
USFWS	<a href="https://www.fws.gov/wetlands/data/mapper.html">https://www.fws.gov/wetlands/data/mapper.html</a>

**B. Typical year assessment(s): N/A**

**C. Additional comments to support AJD: N/A**

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

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## **Appendix C – Comment Letters**

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"VARIETY IN HUNTING AND FISHING"

## NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

Dear (Landowner),

You are receiving this letter to inform you of a potential acquisition of property by the North Dakota Game and Fish Department (Department) in your area. By law the Department must notify individuals who own land within 1 mile of the proposed acquisition property prior to pursuing its purchase. The Richland County Wildlife Club of Hankinson and other local residents have expressed interest in having a managed public target shooting range near Hankinson. During discussions with the Club regarding prospective sites, a parcel of North Dakota state trust land, located just west of Hankinson, appeared to be a good fit. Therefore the North Dakota Game and Fish Department has requested to purchase the following piece of ND State Trust Land Department property under Chapter 15-09 of the North Dakota Century Code:

114 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 16, Township 130 North, Range 50 West

The Game and Fish Department recognizes the important role that safely-constructed, properly-managed, and publicly-accessible shooting ranges play in recruiting new hunting and target shooting enthusiasts, as well as improving their skill and proficiency. These ranges also create a place for people to go that are safe and maintained to maximize safety. It's for these reasons, the Department operates several public ranges on properties it manages. In an effort to provide this opportunity in this part of the state, the Department intends to purchase this tract for the purpose of developing and managing a public target shooting range with the cooperation of the Richland County Wildlife Club. The Department pays full in-lieu taxes on all land it owns. If you have any questions please contact me, Mike Taxdahl at 701-899-0554, or Mark Jean at 701-640-2829.

Sincerely,

Casey Anderson  
Assistant Chief, Wildlife Division

701.328.6613 • [canderson@nd.gov](mailto:canderson@nd.gov) • [gf.nd.gov](http://gf.nd.gov)

NORTH  
**Dakota** | Game and Fish  
Be Legendary.™



**North Dakota Game and Fish Department**  
**Richland County Commission Acquisition Notification**  
**114 acres in Richland County**



Casey Anderson  
Assistant Chief, Wildlife Division  
June 16, 2020

## Background

The North Dakota Game and Fish Department (Department) was approached by the North Dakota State Trust Lands Department in 2013 asking if the Department was interested in a piece of property they owned close to Hankinson. When the Department looked the property over it was determined that under normal Wildlife Management Area (WMAs) function it would not be a benefit to the sportsmen as the management already occurring wouldn't change significantly. Since that time the Richland County Wildlife Club and other local residence have expressed interest in having a shooting range near Hankinson. When they came to the Department the location of the State Trust Lands piece seemed like a good fit. After discussions with the Richland County Wildlife Club the Department has applied to purchase this piece of state land for public purposes under Chapter 15-09 of the North Dakota Century Code.

The Department has shooting ranges on some WMAs already and has the ability to spend federal match to construct and maintain shooting ranges open to the public. The Richland County wildlife club will be the cooperating entity that would help with the day to day maintenance on the range as the project becomes completed.

The property is described as follows and is shown on attached maps:

114 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 16, Township 130 North, Range 50 West

The Department feels this acquisition will be a benefit to the local community and extended area.

Land Acquisition Checklist to Comply with NDCC 20.1-02-05.1

(After Evaluation from G&F Staff)

1. Evaluation\Prioritization by Game & Fish staff
2. Recommendation to Director by staff
3. Director Decision
4. Notice to Proper authorities and Landowners
5. Appraisal
6. Recommendation to Governor by Director
7. Governor Decision
8. Budget Section Approval (if necessary)

1. EVALUATION: Property must enhance Game & Fish

Mission.

Date 4/4/2019

2. Send to DOT to ensure opportunities for DOT mitigation

are used if available.

Date: N/A already state owned

3. Recommendation to Director: **YES/NO**

Explanation as to why property purchase is or is

not being recommended to Director

Date 4/5/2019

4. Director's Decision to Proceed: **YES/NO**

Explanation as why property is or is not

being recommended to purchase

Date 4/5/2019

5. NOTICE: Must contain the amount of acreage, legal

description, and state the Department intends to

purchase described property.

1. Notice to County Commission

Date \_\_\_\_\_

2. Notice to Township Supervisors(if organized)

Date \_\_\_\_\_

3. Publish notice in official county newspaper once

a week, for two consecutive weeks

Dates \_\_\_\_\_

4. If property is located within the bounds of an  
Incorporated city- Notify City Commission

Date     N/A    

5. If property is located in a rural subdivision of 10 acres  
or less–Notify governing body of subdivision  
(May be County or Township)

Date     N/A    

6. All other property not covered in 4 or 5 every  
landowner within 1 mi. of the property and the  
local governing authority (Township or County)

Date \_\_\_\_\_

7. Notify City Commission of any incorporated city  
within 12 mi. of the property

Date \_\_\_\_\_

#### 6. APPRASIAL:

Property appraised by certified appraiser (Game & Fish  
May not pay more than appraisal price unless less than  
40 acres, then department may go to 200%  
of appraised value)

appraisal

Date     ND Trust Lands Dept. Did    

#### 7. Director Recommendation to Governor:

Explanation as to why purchase is being recommended  
to or not to purchase property

Date \_\_\_\_\_

#### 8. Governor's Approval/Disapproval

Date \_\_\_\_\_



"VARIETY IN HUNTING AND FISHING"

## NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

Dear Hankinson City Council,

You are receiving this letter to inform you of a potential acquisition of property by the North Dakota Game and Fish Department (Department) near Hankinson. By law the Department must notify the city officials of an incorporated city if a potential acquisition is within 12 miles, prior to its purchase. The Richland County Wildlife Club of Hankinson and other local residents have expressed interest in having a managed public target shooting range near Hankinson. During discussions with the Club regarding prospective sites, a parcel of North Dakota State Trust Land, located just west of Hankinson, appeared to be a good fit. Therefore the North Dakota Game and Fish Department has requested to purchase the following piece of ND State Trust Land Department property under Chapter 15-09 of the North Dakota Century Code:

114 acres, more or less, in the E $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 16, Township 130 North, Range 50 West

The Game and Fish Department recognizes the important role that safely-constructed, properly-managed, and publicly-accessible shooting ranges play in recruiting new hunting and shooting enthusiasts, as well as improving their skill and proficiency. These ranges also create a place for people to go that are safe and maintained to maximize safety. It's for these reasons, the Department operates several public ranges on properties it manages. In an effort to provide this opportunity in this part of the state, the Department intends to purchase this tract for the purpose of developing and managing a public target shooting range with the cooperation of the Richland County Wildlife Club. The Department pays full in-lieu taxes on all land it owns. If you have any questions please contact myself, Mike Taxdahl at 701-899-0554, or Mark Jean at 701-640-2829.

Sincerely,

Casey Anderson  
Assistant Chief, Wildlife Division

701.328.6613 • [canderson@nd.gov](mailto:canderson@nd.gov) • [gfd.nd.gov](http://gfd.nd.gov)



"VARIETY IN HUNTING AND FISHING"

## NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

Dear Brightwood Township Chairman and Board members,

You are receiving this letter to inform you of a potential acquisition of property by the North Dakota Game and Fish Department (Department) in Brightwood Township. By law the Department must notify the board of an organized township of a proposed acquisition property prior to its purchase. The Richland County Wildlife Club of Hankinson and other local residents have expressed interest in having a managed public target shooting range near Hankinson. During discussions with the Club regarding prospective sites, a parcel of North Dakota State Trust Land, located just west of Hankinson, appeared to be a good fit. Therefore the North Dakota Game and Fish Department has requested to purchase the following piece of ND State Trust Land Department property under Chapter 15-09 of the North Dakota Century Code:

114 acres, more or less, in the E $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 16, Township 130 North, Range 50 West

The Game and Fish Department recognizes the important role that safely-constructed, properly-managed, and publicly-accessible shooting ranges play in recruiting new hunting and shooting enthusiasts, as well as improving their skill and proficiency. These ranges also create a place for people to go that are safe and maintained to maximize safety. It's for these reasons, the Department operates several public ranges on properties it manages. In an effort to provide this opportunity in this part of the state, the Department intends to purchase this tract for the purpose of developing and managing a public target shooting range with the cooperation of the Richland County Wildlife Club. The Department pays full in-lieu taxes on all land it owns. If you have any questions please contact myself, Mike Taxdahl at 701-899-0554, or Mark Jean at 701-640-2829.

Sincerely,

**Casey Anderson**  
Assistant Chief, Wildlife Division

701.328.6613 • [canderson@nd.gov](mailto:canderson@nd.gov) • [gf.nd.gov](http://gf.nd.gov)

**RICHLAND COUNTY BOARD OF COMMISSIONERS  
VIDEO CONFERENCE  
JUNE 16, 2020**

The Richland County Board of Commissioners met on June 16, 2020 by Video Conference with Commissioners Sid Berg, Nathan Berseith, Tim Campbell, Rollie Ehlerl and Dan Thompson all joining the meeting by Videoconference or Teleconference. Others in attendance were Administration Personnel Hage and DelVal; State's Attorney Kummer (via video conference) and Daily News Reporter Frank Stanko (via videoconference).

Other County Personnel joining the meeting via video conference included: Jesse Sedler, Joan Oland, Michelle Eberhardt, Sandy Fossum, Mechelle Olsen and Sheriff Leshovsky.

The meeting was called to order at 8:05 A.M.

A motion was made by Thompson and seconded by Ehlerl to approve the Agenda as amended. Vote was unanimous.

**ND GAME & FISH - NOTIFICATION OF PROPERTY ACQUISITION**

Casey Anderson of ND Game & Fish Wildlife Division joined the meeting by Speaker Phone. Anderson explained the Richland County Wildlife Club and other local residents have expressed interest in having a shooting range near Hankinson. The Game & Fish Dept has applied to purchase state land (114 acres near Hankinson) for public purposes. The Game & Fish Dept has shooting ranges on some Wildlife Management Areas already and has the ability to spend federal match to construct and maintain shooting ranges open to the public. The Richland County Wildlife Club will be the cooperating entity that would help with the day to day maintenance on the range as the project becomes completed. The ND Game & Fish Dept feels this acquisition will be a benefit to the local community and extended area.

A motion was made by Berseith and seconded by Campbell to approve the Property Acquisition by the North Dakota Game & Fish Department. Vote was unanimous.

## **MISC/CORRESPONDENCE**

- Notification from USDA re- East Sheyenne Vegetation Management Project

A motion was made by Campbell and seconded by Thompson to approve the Raffle Permit Application for the Hankinson Sandhills Saddle Club. Vote was unanimous.

Hage received an inquiry from Dickey County regarding the 5 County meeting. The last meeting was postponed and the next scheduled meeting would be held July 2; Dickey County has inquired about holding the meeting as scheduled or whether to postpone. Following discussion, Hage was directed to contact Dickey County and advise them it would be better to meet later in the Fall.

Berseth gave a brief update on the Diversion Project- there have been two weeks of trial regarding Buffalo Red denying the Permit.

Glass Bottle Ordinance - State's Attorney Kummer has prepared a Glass Bottle Ordinance as requested for Mooreton Pond. The Board has received the draft for review. Kummer asked if there were any modifications needed. Berg requested Kummer and Highway Engineer Sedler work on getting signage. Following discussion a motion was made by Ehlert and seconded by Berseth to approve the 1<sup>st</sup> Reading of the Glass Bottle Ordinance. Vote was unanimous.

Hage gave an update on the Court Facilities Grant Addition - A meeting was held last week, they went through the timeline of the project and the architect provided some visuals. The project will be bid in the next few weeks and the opening date should be April or May if everything stays on schedule.

## **HIGHWAY DEPARTMENT**

Township Road Mileage Certifications - A motion was made by Campbell and seconded by Thompson to approve the Township Road Mileage Certifications as presented. Vote was unanimous.

Co Rd 1 - Sedler expressed concerns about the road getting beat up from overloads as well as individuals rolling stop signs; he recommended a law enforcement presence is needed in that area.

Sheriff Leshovsky replied this is the first he is hearing of issues in that area - he will take a look at what they can get in the area to help out.

Bridge Inspections - We have approximately 150 bridges to inspect over the next two years, the estimated cost is \$2,000-\$4,000 per bridge. This will be an expensive and on-going project. We also have seventeen Code 3 Bridges.



Commissioner Campbell exited the meeting at this time. 8:45 A.M.

**MISC/CORRESPONDENCE continued**

Covid-19 - Discussion included the following:

- several County employees have tested positive for Covid-19
- discussion on remaining on lock down
- discussion on a reopening plan
- possibly having all employees tested
- Sneeze Guards have been ordered for some offices but haven't arrived yet, would like them installed before re-opening

Michelle Eberhardt reported the Health Dept has the capability for testing all employees, the issue with that is they are only positive or negative for that day. Employees should be reminded not to just be careful at work, but everywhere. Currently there are 37 cases in Richland County and 15 cases being followed.

Berseth suggested Michelle Eberhardt and Leslie Hage discuss a reopening plan for County Offices rather than the Commissioners deciding on a reopening. He has a concern with daycares and funerals/weddings and stores opening, etc. outside of work, at some point it has to go back to business as usual however it may not be a good time now.

Hage reported we are making it work and still providing services with a few extra steps, she has not received any complaints.

Ehlert stated we need a reopening plan with the date to be determined; we first need personal protective equipment and need to differentiate who needs to be there at this point.

Hage replied she will work with Michelle Eberhardt and Mechelle Olsen in HR on a Reopening Plan.

Election Update - Hage reported the election went very well. There were 3,926 ballots sent out and 3,214 returned or nearly 82%. There are also 2,942 ballots already requested for the General Election. The costs were considerably less than normal. \$35,000 was budgeted for the Primary Election and approximately \$18,000 to \$20,000 has been spent to date. We anticipate receiving back \$13,400 from FEMA and the Cares Act so the total estimated cost will be between \$10,000 - \$15,000 once all the outstanding expenses are paid. There were nearly 2,600 applications forwarded to schools which is a considerable increase for school elections as well.

**UPCOMING MEETINGS**

July

- 7 Commission Meeting
- 7 Department Head Meeting
- 21 Commission Meeting
- 21 Budget Meetings
- 22 Budget Meetings

Being there was no further business the meeting adjourned at 9:10 A.M.

ATTEST:   CHAIRPERSON  
Leslie Hage                      Sid Berg  
Auditor/Administrator        Board of Richland County Commissioners

## Brightwood Township Zoning meeting minutes

American Legion Building

Lake Elsie, Hankinson, ND

May 10<sup>th</sup>, 2023 7:00 pm

Paul Tiegs called the special zoning meeting to order @ 7:00. Township clerk was not present at the meeting as she was ill at that time. She asked Mark Jean to take meeting minutes for the meeting.

Mark Jean explained that the request for the meeting was triggered by 2 zoning change requests. One by the ND Game and Fish Dept and one by the Richland County Wildlife club.

Marty Egeland from the ND Game and Fish Department gave the group an overview of the proposed rifle shooting range and the history of the project to this point. Marty also provided engineering drawings and layouts of the proposed shooting range.

Mike Taxdahl from the Richland County Wildlife club presented a plan showing the layout of the shotgun and archery shooting range that the club is interested in building on the adjoining property to the ND G&F property.

County Commissioner Tim Campbell joined the meeting at 7:14.

### Discussions:

- Gus W. mentioned there are several houses within 2 miles of the proposed range.
  - Marty E. told the group that the State owns several ranges around the state and they have not had an issue when it comes to safety. Marty added that when electricity is available they install security cameras to detract unwanted activity.
  - Mike T. stated that by providing a designated place to shoot is safer than having people just setting up a target anywhere and start shooting. There is also the "mess" factor to this. Many times the people that set target materials up anywhere end up leaving the trash where they lay and don't clean up after themselves.
- Dave M. brought up that he has a turkey operation near by.
  - Marty said the State wants to be good neighbors and could have options for sound mitigation if it becomes a problem. He went on to mention that all sides and ends of the shooting ranges are fully berm for safety reasons and for sound mitigation.
  - Mike T. mentioned that the RWC is planting trees and/or shrubs all around the property to mitigate sound and to dress up the property.
- Dave M. asked about road improvements and timing of project.
  - Marty E. explained that a new road will be put in all the way back to the shooting ranges with an improved approach. The State is slated to begin construction in 2024.
  - Commissioner Campbell stated that the county may be able to help with some materials for the approach repair if needed. No guarantees but said the two entities should reach out to him when more details are known.

- A question was asked if there will be bathrooms.
  - Marty said the State generally install either vault toilets or porta potties at their shooting ranges.
- Gus W. asked what happens when something happens?
  - Marty replied with a comment that there has never been an incident since he has been part of the Department. All safety measures are taking into consideration on the design and construction of the shooting range.
- Tim C. made comments about recently visiting the ND regional high school trap shoot in Horace N.D. where he was with hundreds of middle school and high school students that all had guns. He asked around to several spectators to find out if they felt safe being around all of the students with guns and all the answers he received back were "Yes they felt safe".

Paul Tiegs stated that by this vote we agree to change the use of these two parcels to allow a shooting ranges to be built and operated by both the ND Game and Fish department and the Richland County Wildlife club. Paul said we need to make sure this is forever and not just a limited time since there will be considerable moneys used to build these ranges.

Paul Tiegs called for any other discussion.

Paul Tiegs asked if there was a motion to approve the conditional use permit for the ND Game and Fish Department to build and operate a shooting range at the proposed location north of State highway 11.

Motion by Jeb Berg, second by Mark Jean.

All in favor of motion. Motion carried.

Paul Tiegs asked if there was a motion to approve the conditional use permit for the Richland County Wildlife club to build and operate a shooting range at the proposed location north of State highway 11.

Motion by Jeb Berg, second by Mark Jean.

All in favor of motion. Motion carried.

Paul Tiegs called for motion to adjourn.

Motion by Steve Ginsbach, second by Jeb Berg.

All in favor of motion. Meeting adjourned at 7:44.

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**Appendix D – USFWS Concurrence Letter**

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# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

North Dakota Ecological Services  
3425 Miriam Avenue  
Bismarck, North Dakota 58501

In reply, please refer to:  
Hankinson Shooting Range Project

June 8, 2023

Mr. Corey Wentland  
Federal Aid Manager  
North Dakota Game and Fish Department  
Bismarck, North Dakota 58501

Dear Mr. Wentland:

Thank you for your correspondence from May 16, 2023, requesting comments on the Hankinson Shooting Range project located in Richland County, North Dakota. The U.S. Fish and Wildlife Service (FWS) has the following comments.

You requested FWS concurrence with your “may affect, not likely to adversely affect” determinations for the endangered Dakota skipper (*Hesperia dacotae*) the endangered Poweshiek Skipperling (*Oarisma poweshiek*), and the threatened western prairie fringed orchid (*Platanthera praeclara*). In accordance with Section 7 of the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 *et seq.*), we concur with your determination.

Thank you for the opportunity to comment on this project proposal. The FWS’s concurrence is based on the information provided. Pursuant to the implementing regulations of the ESA (50 CFR 402.13), this letter concludes informal consultation on the project. If changes are made in the project plans or operating criteria, or if additional information, including new species listings, becomes available, the FWS should be informed so that the above determinations can be reconsidered. If you have any additional questions or comments, please contact Lauren Toivonen of my staff via email at [lauren\\_toivonen@fws.gov](mailto:lauren_toivonen@fws.gov), or contact me at [Luke\\_Toso@fws.gov](mailto:Luke_Toso@fws.gov).

Sincerely,  
**LUKE**  
**TOSO**  
Luke Toso

Acting ND Ecological Services Supervisor

Digitally signed by  
LUKE TOSO

Date: 2023.06.08  
08:03:45 -05'00'

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**Appendix E – SHPO Concurrence Letter**

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December 16, 2021

Brittany Brooks  
Beaver Creek Archaeology  
1632 Capitol Way  
Bismarck, ND 58501-2100

**ND SHPO Ref: 22-0077 Hankinson Gun Range in portions of [T130N R50W Section 16] in Richland County, North Dakota**

Dear Brittany Brooks,

We received ND SHPO Ref: 22-0077 "A Class III Intensive Cultural Resource Inventory for the Hankinson Gun Range Project in Richland County, North Dakota" in portions of [T130N R50W Section 16] and find this Beaver Creek Archaeology report by Brittany Brooks acceptable. We will add it to our Manuscript Collection.

Thank you for the opportunity to review this report. Please be advised that acceptance of this report does not constitute concurrence with the determinations therein. If you have any questions, please contact either Andrew Clark, Chief Archeologist at (701) 328-3574 or [andrewclark@nd.gov](mailto:andrewclark@nd.gov) or Lorna Meidinger, Historic Preservation Specialist at (701) 328-2089 or [lbmeidinger@nd.gov](mailto:lbmeidinger@nd.gov).

Sincerely,

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





May 23, 2023

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

**ND SHPO Ref.: 22-0077 Hankinson Gun Range in portions of [T130N RS0W Section 16] in Richland County, North Dakota**

Dear Corey,

We reviewed ND SHPO Ref.: 22-0077 Hankinson Gun Range in portions of [T130N RS0W Section 16] in Richland County, North Dakota and we continue to concur with a determination of “No Historic Properties Affected” for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or [lsteckler@nd.gov](mailto:lsteckler@nd.gov)

Sincerely,

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

22-0077

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## **Appendix F – Plats**

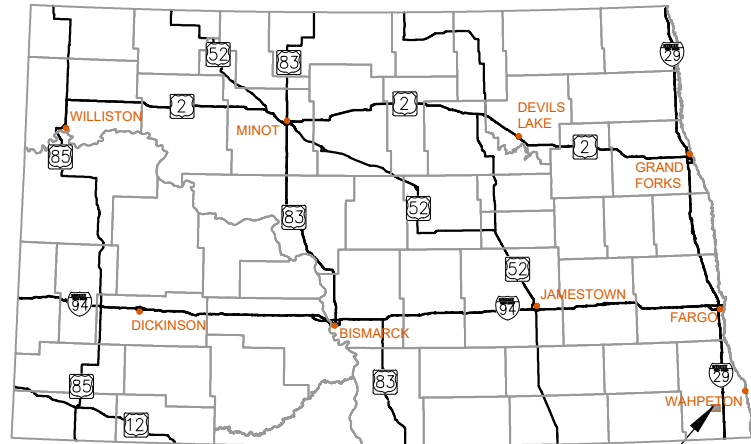
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# HANKINSON GUN RANGE

## NORTH DAKOTA GAME & FISH DEPARTMENT

### RICHLAND COUNTY, NORTH DAKOTA

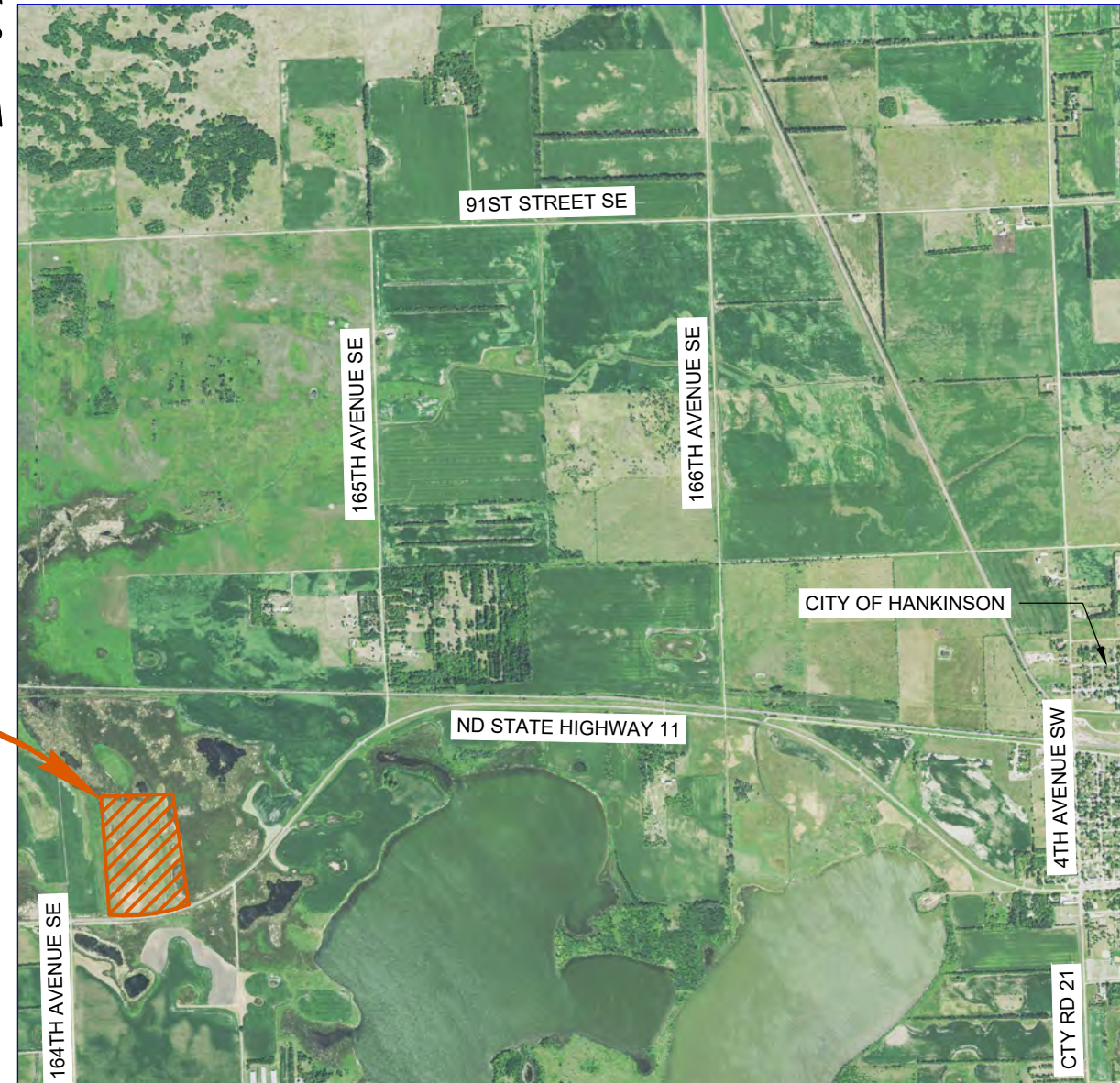
MAY, 2023



STATE OF NORTH DAKOTA  
PROJECT LOCATION



HANKINSON, ND



VICINITY MAP  
NO SCALE

PROJECT LOCATION

#### INDEX OF SHEETS

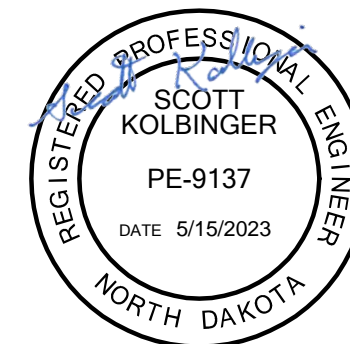
C1.0	COVER SHEET
C1.1	GENERAL NOTES
C1.2	BASIS OF ESTIMATE & SUMMARY OF QUANTITIES
C1.3	EXISTING CONDITIONS & REMOVALS
C2.0	SITE LAYOUT (OVERALL)
C2.1	SITE LAYOUT (ENLARGED)
C3.0	GRADING PLAN (OVERALL)
C3.1	GRADING PLAN (ENLARGED)
C3.2	UTILITY PLAN
C3.3	EROSION CONTROL PLAN
C4.0	CONSTRUCTION DETAILS
C4.1	CONSTRUCTION DETAILS
C4.2	ADD ALTERNATE DETAILS
C4.3	ADD ALTERNATE DETAILS

#### CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NORTH DAKOTA.

*Scott Kolbinger*  
SCOTT KOLBINGER, PE

DATE: 5/15/2023



ONE CALL  
BEFORE DIGGING  
1-800-795-0555

#### BASIS OF SURVEY

ALL CONTOURS, ELEVATIONS, AND COORDINATES FOR THE PROJECT ARE BASED ON NAD83 STATE PLANE COORDINATE SYSTEM, NORTH DAKOTA SOUTH ZONE 3302, INTERNATIONAL FEET, NAVD 88, GEOID18 (CONUS).

NORTH DAKOTA GAME & FISH  
DEPARTMENT  
BISMARCK, ND 58501-5095  
PH: 701.328.6300

300 23RD AVE E, SUITE 100  
WEST FARGO, ND 58078  
PH: 701.232.5353  
www.kljeng.com



KLJ PROJECT NO. 2302-00496



GENERAL

- FEDERAL FUNDS WILL BE USED, IN PART, TO FUND PROJECT. ALL CONTRACTS MUST COMPLY WITH FEDERAL PROCUREMENT LAWS INCLUDING, BUT NOT LIMITED TO WMBE/DBE REQUIREMENTS.
- ALL CONSTRUCTION SHALL MEET REQUIREMENTS OF APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS, STANDARD SPECIFICATIONS AND DETAILS, ZONING ORDINANCES, APPLICABLE CODES OF ORDINANCES AND THE CONSTRUCTION DOCUMENTS FOR HANKINSON GUN RANGE, HANKINSON, NORTH DAKOTA.
- THESE NOTES APPLY TO THE ENTIRE PROJECT UNLESS OTHERWISE NOTED. ADDITIONAL CONSTRUCTION NOTES ARE INCLUDED ON INDIVIDUAL DRAWINGS.
- THESE NOTES ARE FOR GENERAL REFERENCE IN CONJUNCTION WITH AND AS A SUPPLEMENT TO THE WRITTEN SPECIFICATIONS, DETAILS, ADDENDA AND CHANGE ORDERS ASSOCIATED WITH THE CONTRACT DOCUMENTS.
- REQUESTS BY THE CONTRACTOR SHALL BE APPROVED IN WRITING BY THE OWNER PRIOR TO IMPLEMENTATION
- ANY ERRORS OR OMISSIONS DISCOVERED BY THE CONTRACTOR IN THE PLAN SET SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER WHEN DISCOVERED. THE CONTRACTOR SHALL ALLOW TIME FOR CLARIFICATION.
- ITEMS NOT INCLUDED IN THE PLANS AS A PAY ITEM BUT INCLUDED ELSEWHERE IN THE PLANS SHALL BE PROVIDED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER AND SHALL BE CONSIDERED INCIDENTAL ITEMS.
- THIS PLAN SET HAS A LIST OF GENERAL ABBREVIATIONS, SYMBOLS, AND MATERIALS LEGENDS LISTED ON IT. SOME SYMBOLS, MATERIALS, AND ABBREVIATIONS MAY NOT BE UTILIZED ON THIS SPECIFIC PROJECT.
- CONTRACTOR SHALL PROVIDE A ONE (1) WEEK NOTICE TO ENGINEER AND OWNER PRIOR TO BEGINNING ANY CONSTRUCTION.
- THE ENGINEER AND/OR OWNER SHALL HAVE THE RIGHT TO REQUIRE ADDITIONAL WORK NOT SHOWN HEREIN BUT REQUIRED FOR SUCCESSFUL COMPLETION OF THE PROJECT.
- ALL EQUIPMENT NECESSARY AND REQUIRED FOR THE PROPER CONSTRUCTION OF PROJECT ITEMS AND TASKS SHALL BE ON THE PROJECT IN FIRST-CLASS WORKING CONDITION BEFORE CONSTRUCTION IS PERMITTED TO START.

PROTECTION OF EXISTING UTILITIES AND MONUMENTS

- THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. UNDERGROUND LOCATES MAY BE MADE USING THE "ONE CALL" NUMBER 1-800-795-0555 OR 811. LOCATION OF EXISTING UTILITIES AND COORDINATION WITH UTILITY COMPANIES ARE INCIDENTAL TO OTHER BID ITEMS. CONTRACTOR SHALL VERIFY VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- WHERE EXISTING UTILITY WIRES (TELEPHONE, ELECTRIC) ARE LOCATED ADJACENT TO OR ABOVE THE PROPOSED DRAINAGE PIPES, CONTRACTOR SHALL TEMPORARILY SUPPORT EXISTING WIRES AND INSTALL PROPOSED PIPE UNDER EXISTING WIRES. ANY DECISION TO HAVE THE EXISTING UTILITIES MOVE WIRES WILL BE AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL PROTECT ALL SURVEY MONUMENTS. MONUMENTS DISTURBED OR DESTROYED SHALL BE REPLACED BY THE OWNER'S REPRESENTATIVE AT CONTRACTOR'S EXPENSE.
- MISCELLANEOUS ITEMS SUCH AS AND NOT LIMITED TO, STREET LIGHTS, SIGNS, FENCES, POLES, ETC. SHALL BE PROTECTED OR REMOVED AND REINSTALLED BY THE CONTRACTOR WITH OWNER'S PERMISSION, AND THIS WORK SHALL BE INCIDENTAL TO THE CONTRACT.
- EXCESS EXCAVATED MATERIAL INCLUDING ABANDONED TARGET RAILS, STUMPS, ROOTS, SOIL MATERIALS AND ANY OTHER ITEMS THE OWNER DOES NOT WISH TO SALVAGE SHALL BECOME CONTRACTOR'S PROPERTY AND SHALL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY. CONCRETE FEATURES TO BE REMOVED SHALL BE DISPOSED OF OFF SITE AT A LICENSED LANDFILL INCIDENTAL TO THE PROJECT.

GRADING NOTES

- EXISTING CONTOURS ARE SHOWN AT TOP OF EXISTING GRADE.
- PROPOSED CONTOURS AND SPOT ELEVATIONS ARE SHOWN AT THE TOP OF FINISHED SURFACE.
- ALL DISTURBED AREAS WITHIN THE PROJECT BOUNDARY INCLUDING TOPSOIL PILES SHALL BE SEEDED. CONTRACTOR TO STRIP & STOCKPILE TOPSOIL ON SITE IN AN AREA APPROVED BY THE ENGINEER.

EXCAVATION

- BORROW EXCAVATION CONSISTS OF EXCAVATION, HAUL, PLACEMENT, AND COMPACTION OF EMBANKMENT MATERIAL OBTAINED FROM LOCATIONS OUTSIDE THE PROJECT.
- EXCAVATION SHALL BE PERFORMED AS INDICATED ON THE CONTRACT PLANS TO THE LINES, GRADES, AND ELEVATION SHOWN OR AS DIRECTED BY THE ENGINEER, AND SHALL BE MADE SO THAT THE REQUIREMENT FOR FORMATION OF EMBANKMENTS CAN BE FOLLOWED. NO EXCAVATION OR STRIPPING SHALL START UNTIL SITE IS STAKED. ALL MATERIAL ENCOUNTERED WITHIN THE LIMITS INDICATED SHALL BE REMOVED AND DISPOSED OF AS DIRECTED. DURING THE PROCESS OF EXCAVATION, THE SURFACE GRADE SHALL BE MAINTAINED SO THAT IT WILL BE WELL DRAINED AT ALL TIMES. WHEN NECESSARY, TEMPORARY DRAINS AND DRAINAGE DITCHES SHALL BE INSTALLED TO INTERCEPT OR DIVERT SURFACE WATER WHICH MAY AFFECT WORK, WHICH IS INCIDENTAL.
- THE CONTRACTOR SHALL MAKE THE DISTRIBUTION AS INDICATED ON THE PLANS. WIDENING OR NARROWING OF THE SECTION AND RAISING OR LOWERING OF THE GRADE TO AVOID HAUL WILL NOT BE PERMITTED. THE ENGINEER RESERVES THE RIGHT TO MAKE MINOR ADJUSTMENTS OR REVISIONS IN LINES OR GRADES IF FOUND NECESSARY AS THE WORK PROGRESSES DUE TO DISCREPANCIES IN THE PLANS OR TO OBTAIN SATISFACTORY CONSTRUCTION.
- ALL VEGETATION; SUCH AS BRUSH, HEAVY SODS, HEAVY GROWTH OF GRASS, DECAYED VEGETABLE MATTER, RUBBISH, AND ANY OTHER UNSUITABLE MATERIAL WITHIN THE AREA UPON WHICH EMBANKMENT IS TO BE PLACED SHALL BE STRIPPED OR OTHERWISE REMOVED BEFORE THE EMBANKMENT IS STARTED. IN NO CASE SHALL SUCH OBJECTIONABLE MATERIAL BE ALLOWED IN OR UNDER THE EMBANKMENT.
- EMBANKMENTS SHALL BE FORMED OF SATISFACTORY MATERIAL, PER THE STANDARD SPECIFICATIONS, PLACED IN SUCCESSIVE HORIZONTAL LAYERS OF NOT MORE THAN 6 INCHES IN LOOSE DEPTH FOR THE FULL WIDTH OF THE CROSS SECTION.
- ALL MATERIALS PLACED IN THE EMBANKMENT SHALL BE REASONABLY FREE OF ORGANIC MATTER SUCH AS, LEAVES, GRASS, ROOTS AND OTHER OBJECTIONABLE MATERIAL.
- WATER SHALL BE INCIDENTAL TO OTHER BID ITEMS.
- COMPACTION REQUIREMENTS FOR ALL AREAS ARE OUTLINED IN THE PROJECT SPECIFICATIONS.
- TOPSOIL SHALL BE A MINIMUM OF 9.5" THICK UNLESS OTHERWISE SPECIFIED.

TRAFFIC CONTROL, SIGNAGE, AND SAFETY

- CONTRACTOR SHALL FOLLOW THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) STANDARDS AND GUIDES FOR TRAFFIC CONTROL FOR STREET AND HIGHWAY CONSTRUCTION.
- FOR ANY TRAFFIC CONTROL THAT WOULD CAUSE A DIRECT OR INDIRECT IMPACT TO ANY CITY STREET, CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE ENGINEER 10 DAYS PRIOR TO ANY DISRUPTION. PLAN SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT OF TRAFFIC CONTROL IN CITY ROW.
- ORANGE TEMPORARY CONSTRUCTION SAFETY FENCE SHALL BE UTILIZED ON THE EASEMENT BOUNDARY LINE TO PROTECT THE PUBLIC FROM THE CONSTRUCTION ACTIVITIES AND TO ENSURE NO CONSTRUCTION ACTIVITIES OCCUR BEYOND THE LINE.

EROSION CONTROL PLAN AND BMP SELECTION

- THE CONTRACTOR SHALL BE REQUIRED TO APPLY TO THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE NPDES GENERAL PERMIT AND TO COMPLETE A SWPPP. CONTRACTOR SHALL ABIDE BY ALL REQUIREMENTS OF THE NPDES PERMIT AND SWPPP. MAINTENANCE, INSPECTIONS, AND REMOVAL OF THE EROSION CONTROL MEASURES AND INSTALLATION OF ADDITIONAL EROSION CONTROL MEASURES SHALL BE CONSIDERED INCIDENTAL TO THE WORK PERFORMED.
- CONTRACTOR IS RESPONSIBLE FOR MINIMIZING TRACKING OF SOIL AND DEBRIS ONTO ADJACENT PROPERTIES AND ROADWAYS. TRACKING MUST BE REMOVED BY THE END OF EACH DAY AT A MINIMUM. TRACKING MAY NEED TO BE REMOVED MORE OFTEN IF NECESSARY.
- TEMPORARY EROSION CONTROL (SILT FENCE) WILL BE REQUIRED DURING CONSTRUCTION TO PREVENT SEDIMENT FROM LEAVING THE PROJECT SITE AND ENTERING ADJACENT PROPERTIES.
- PERIMETER SILT FENCING SHALL BE INSTALLED PRIOR TO ANY SOIL DISTURBANCE ON SITE. INTERIOR SILT FENCING SHALL BE INSTALLED AFTER ROUGH GRADING. THE CONTRACTOR SHALL INSTALL ADDITIONAL SILT FENCING OR OTHER EROSION CONTROL MEASURES AS NEEDED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING AND MAINTAINING ALL EROSION CONTROL MEASURES.

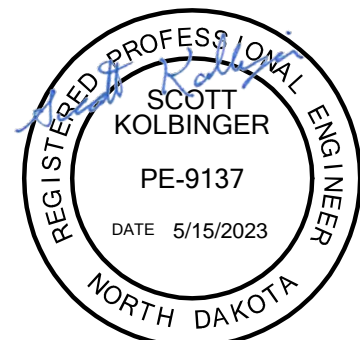
- AREAS NOT BEING DEVELOPED OR PLANNED TO BE DEVELOPED FOR A PERIOD OF GREATER THAN 14 DAYS SHALL BE STABILIZED TO MINIMIZE WIND AND WATER EROSION. THIS INCLUDES THOSE MONTHS WHEN CONSTRUCTION IS PROHIBITIVE DUE TO THE WINTER SEASON. WIND EROSION PROTECTION SHOULD BE ACCOMPLISHED BY MULCHING/CRIMPING UNTIL 70% VEGETATION IS ESTABLISHED. PERMANENT EROSION CONTROL SHALL BE ACHIEVED BY PERMANENT SEEDING OF SLOPES, DISTURBED DITCH SECTIONS AND DISTURBED POND AREAS.
- EROSION CONTROL STRUCTURES SHALL BE IN PLACE PRIOR TO ANY LAND-DISTURBING ACTIVITIES. MAINTAINING EROSION CONTROL STRUCTURES, SITE CLEAN-UP, DUST CONTROL, AND RE-EVALUATION OF EROSION CONTROL PLAN SHALL BE DONE ON A REGULAR BASIS, PARTICULARLY AFTER ANY STORM WATER EVENT.

NO.	DATE	REVISION

DRAFTED	EAS
REVIEWED	JJD
PROJECT NUMBER	2302-00496
ISSUE DATE	05/12/2023

**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA

**GENERAL NOTES**





LEGEND		
EXISTING	ITEM	PROPOSED
⊕	FIRE HYDRANT	⊕
⊙	GATE VALVE	⊙
⊙	CURB STOP	⊙
⊕	YARD HYDRANT	⊕
⊕	BEND	⊕
⊕	TEE	⊕
⊕	CROSS	⊕
⊕	REDUCER	⊕
⊕	VERTICAL BEND	⊕
⊕	WATER MANHOLE	⊕
⊕	SPRINKLER HEAD	⊕
⊕	WATER METER	⊕
⊕	CATHODIC TEST STATION	⊕
⊕	TRACER WIRE ACCESS BOX	⊕
⊕	SANITARY MANHOLE	⊕
⊕	SANITARY FORCEMAIN MANHOLE	⊕
⊕	SANITARY MANHOLE W. VALVE	⊕
⊕	CLEANOUT	⊕
⊕	STORM SEWER MANHOLE	⊕
⊕	CURB INLET	⊕
⊕	CATCH BASIN	⊕
⊕	POWER POLE	⊕
⊕	GUY WIRE	⊕
⊕	LIGHT POLE	⊕
⊕	ELECTRICAL PEDESTAL	⊕
⊕	ELECTRICAL METER	⊕
⊕	ELECTRICAL JUNCTION (PULL BOX)	⊕
⊕	ELECTRICAL BOX	⊕
⊕	ELECTRICAL OUTLET/PLUG-IN	⊕
⊕	ELECTRICAL MANHOLE	⊕
⊕	TELEPHONE MANHOLE	⊕
⊕	TELEPHONE PEDESTAL	⊕
⊕	CABLE TV PEDESTAL	⊕
⊕	FIBER OPTIC PEDESTAL	⊕
⊕	GAS METER	⊕
⊕	GAS MANHOLE	⊕
⊕	FUEL DISPENSER	⊕
⊕	UTILITY MARKER	⊕
⊕	GAS VENT PIPE	⊕
⊕	TREES CONIFEROUS/ DECIDUOUS	⊕
⊕	BUSH/SHRUB	⊕
⊕	SIGN	⊕
⊕	CONTROL POINT	⊕
⊕	BENCHMARK	⊕
⊕	PIPE CAP	⊕
⊕	MAIL BOX	⊕
⊕	PROPERTY PIN	⊕

LEGEND		
EXISTING	ITEM	PROPOSED
---	ASPHALT EDGE	---
---	BUILDING CANOPY	---
TV	CABLE TV - UNDERGROUND	TV
---	CENTERLINE	---
---	CONSTRUCTION LIMITS	---
E(O)	ELECTRICAL - OVERHEAD	E(O)
E	ELECTRICAL - UNDERGROUND	E
X	FENCE - BARBED WIRE	X
○	FENCE - CHAINLINK	○
+	FENCE - PLASTIC, VINYL	+
□	FENCE - WOOD	□
/	FENCE - WOVEN WIRE	/
FO	FIBER - UNDERGROUND	FO
G	GAS - UNDERGROUND	G
---	GRAVEL EDGE	---
FM	SANITARY SEWER FORCE MAIN	FM
S	SANITARY SEWER SERVICE LINE	S
S	SANITARY SEWER (24" OR LESS)	S
S	SANITARY SEWER (24" OR MORE)	S
---	STORM SEWER EDGEDRAIN	---
ST	STORM SEWER (24" OR LESS)	ST
ST	STORM SEWER (24" OR MORE)	ST
T(O)	TELEPHONE - OVERHEAD	T(O)
T	TELEPHONE - UNDERGROUND	T
W	WATER SERVICE LINE	W
W	WATER MAIN	W
---	WETLAND DELINEATION	---

### ESTIMATED QUANTITIES

ALL PAY ITEMS SHALL BE PAID BASED ON PLAN QUANTITY.

BASE BID			
ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY
1	MOBILIZATION	LS	1
2	TRAFFIC CONTROL	LS	1
3	REMOVE CULVERT	LF	40
4	REMOVE GRAVEL	SY	770
5	COMMON EXCAVATION	CY	963
6	IMPORT	CY	23,418
7	TOPSOIL STRIPPING & STOCKPILE	CY	7,766
8	3" AGGREGATE SURFACE - CL 13	TON	515
9	6" AGGREGATE BASE - CL 5	TON	1,030
10	RECYCLED ASPHALT WALKWAY	CY	93
11	5" CONCRETE PARKING STALL	SY	124
12	GEOTEXTILE FABRIC R1	SY	3,297
13	GEOTEXTILE FABRIC S1	SY	842
14	4" CONCRETE WALK	SY	248
15	12" CULVERT	LF	120
16	24" CULVERT	LF	112
17	12" FLARED END SECTION INTERIOR	EA	4
18	12" FLARED END SECTION EXTERIOR	EA	4
19	24" FLARED END SECTION	EA	2
20	RANGE TARGETS	EA	19
21	TOPSOIL SPREADING	CY	7,766
22	SEEDING	SY	18,777
23	STRAW MULCH	SY	11,438
24	NORTH AMERICAN GREEN ROLLMAX ERONET SC150	SY	6,000
25	SILT FENCE	LF	1,800
26	FIBER ROLLS 9IN	LF	28
27	ROCK CONSTRUCTION ENTRANCE	EA	1
28	MAINTANENCE VEHICLE ACCESS GATE	EA	3
29	STRIPING	LS	1
30	SIGN	EA	3

ADD ALTERNATE 1			
ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY
1A	STEEL POST VEHICLE BARRIER	EA	65
2A	CONCRETE VEHICLE BARRIER	EA	50
3A	CONCRETE GUN BENCH	EA	19
4A	4" RECYCLED ASPHALT SIDEWALK	SY	526
5A	GEOTEXTILE FABRIC S1	SY	526

### BASIS OF ESTIMATE

CLASS 5 GRAVEL	1.85	TONS/CY
CLASS 13 GRAVEL	1.85	TONS/CY

### ESTIMATED EARTHWORK QUANTITIES

TOPSOIL REMOVAL AREA	4.81	ACRES
ASSUMED EXISTING TOPSOIL DEPTH	12"	
TOPSOIL REMOVED	7,766	CY

GUN RANGE:		
APPROX. TOPSOIL REPLACEMENT AREA	3.32	ACRES
APPROX. TOPSOIL REPLACEMENT DEPTH	SEE TYP. SECTIONS	
MINIMUM OF 9.5" DEPTH		

ALL OTHER AREAS:		
APPROX. TOPSOIL REPLACEMENT AREA	0.55	ACRES
APPROX. TOPSOIL REPLACEMENT DEPTH	9.5"	

TOPSOIL REPLACED	7,766	CY
------------------	-------	----

EXCAVATION TO SUBGRADE	963	CY [EV]
EMBANKMENT TO SUBGRADE	24,188	CY [CV]
ASSUMED COMPACTION	20%	

$$963 \text{ CY [EV]} \times 0.8 = 770 \text{ CY [CV]}$$

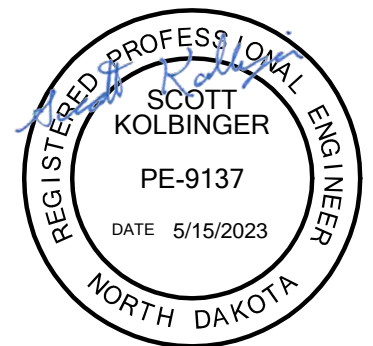
$$24,188 \text{ CY [CV]} - 770 \text{ CY [CV]} = 23,418 \text{ CY [CV]}$$

[EV] = EXCAVATED VOLUME  
[CV] = COMPACTED VOLUME

NO.	DATE	REVISION

DRAFTED	EAS
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**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA  
**BASIS OF ESTIMATE & SUMMARY OF QUANTITIES**



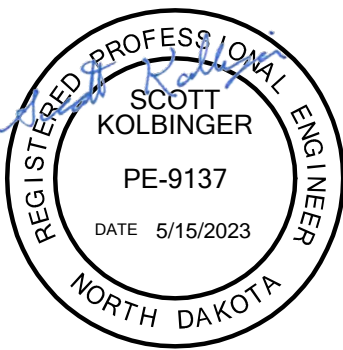
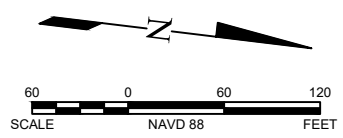
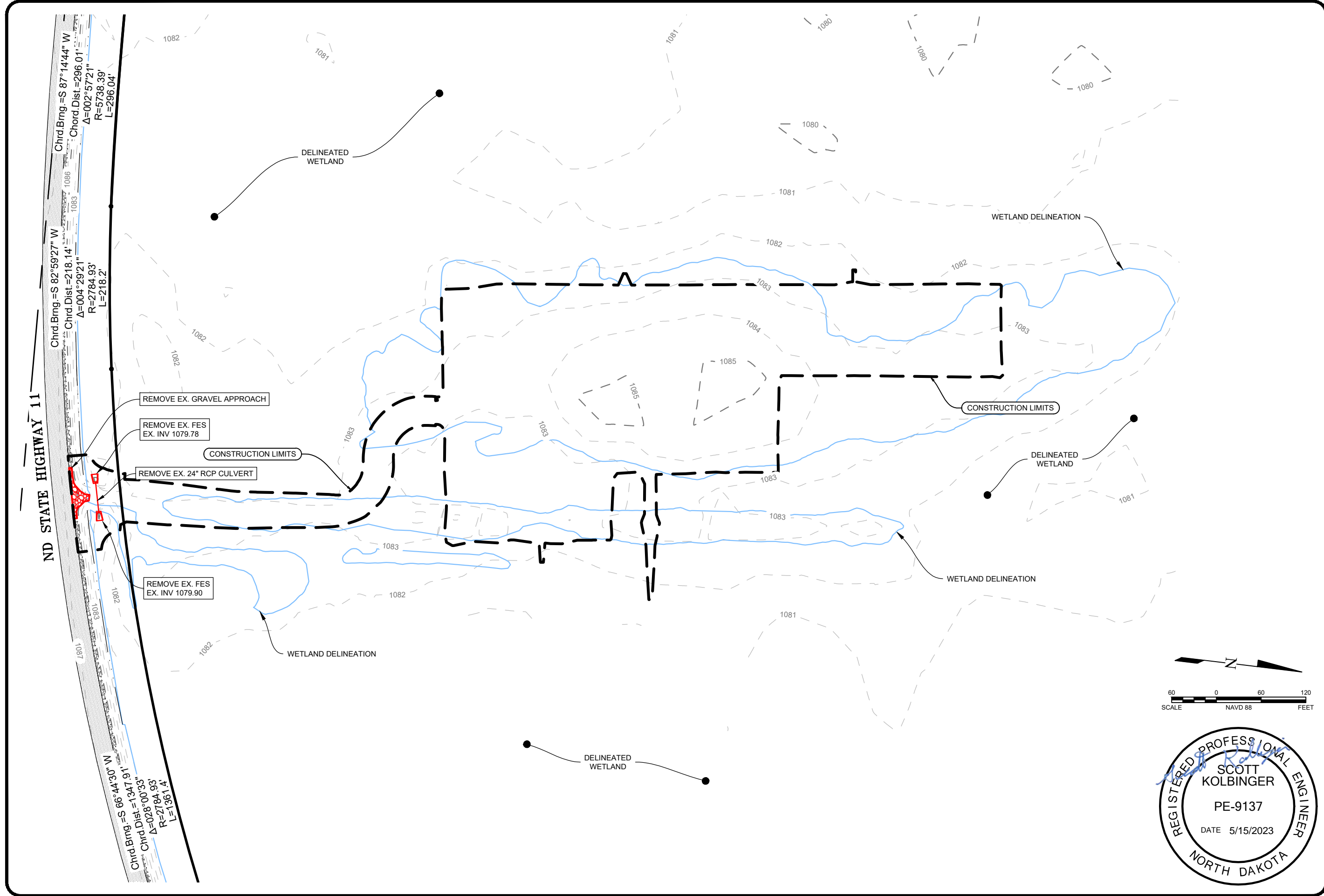


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**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA  
**EXISTING CONDITIONS & REMOVALS**

SHEET  
C1.3





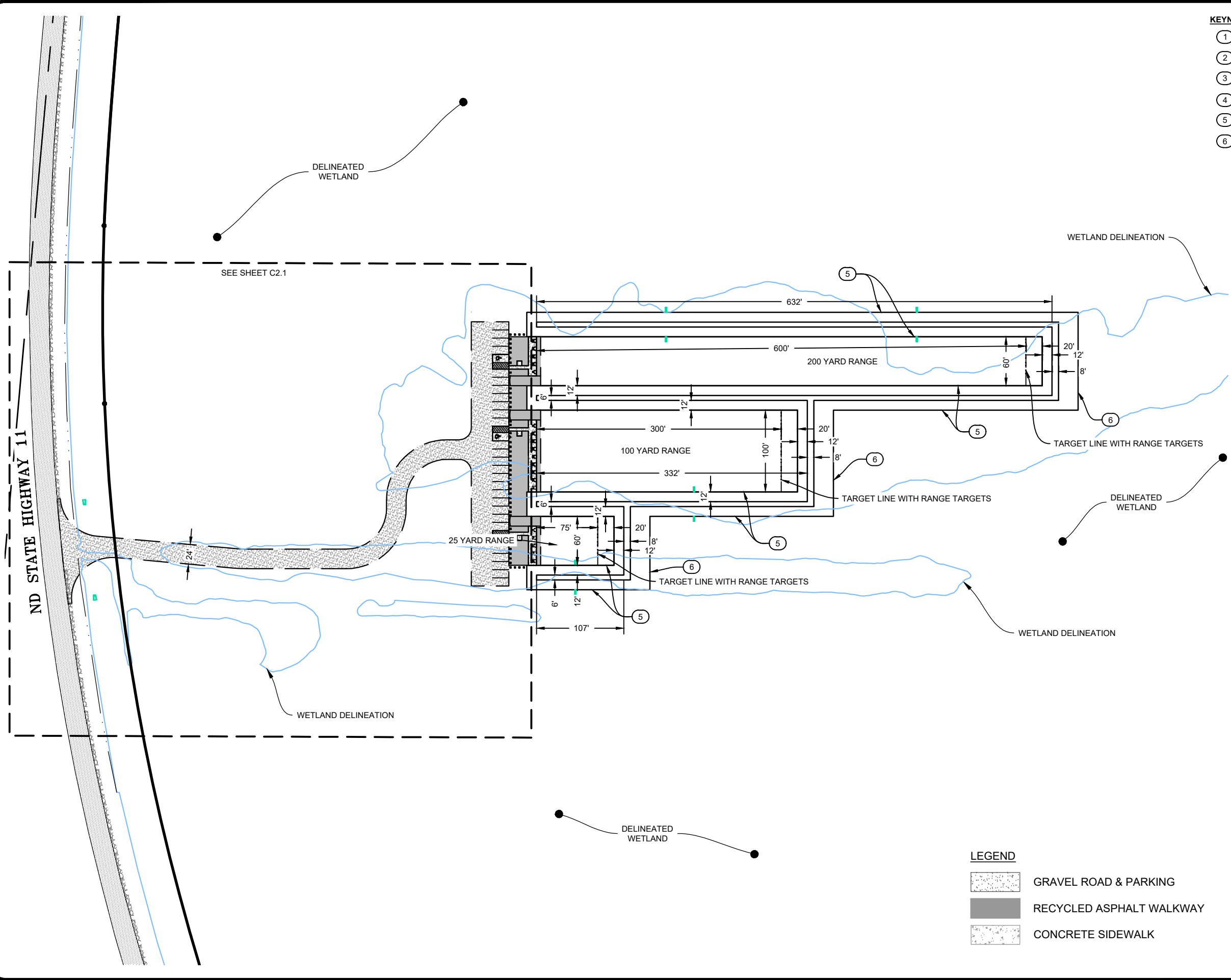
- KEYNOTES:**
- ① GRAVEL ROADWAY - SEE DETAIL 2/C4.1
  - ② RECYCLED ASPHALT WALKWAY - SEE DETAIL 2/C4.1
  - ③ CONCRETE SIDEWALK - SEE DETAIL 2/C4.1
  - ④ VEHICLE BARRIER - SEE DETAILS 3/C4.2 & 5/C4.2
  - ⑤ TYPICAL SIDE BERM - SEE DETAIL 1/C4.0
  - ⑥ TYPICAL BACKSTOP BERM - SEE DETAIL 2/C4.0

NO.	DATE	REVISION

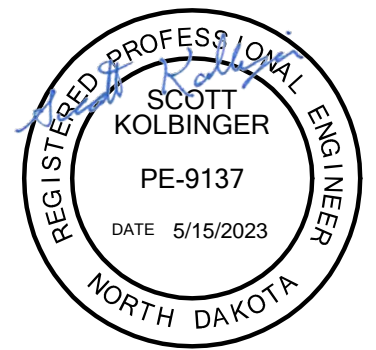
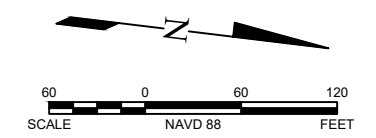
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EAS  
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2302-00496  
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**HANKINSON GUN RANGE**  
NORTH DAKOTA GAME & FISH DEPARTMENT  
RICHLAND COUNTY, NORTH DAKOTA  
**SITE LAYOUT (OVERALL)**

SHEET  
C2.0



- LEGEND**
- GRAVEL ROAD & PARKING
  - RECYCLED ASPHALT WALKWAY
  - CONCRETE SIDEWALK





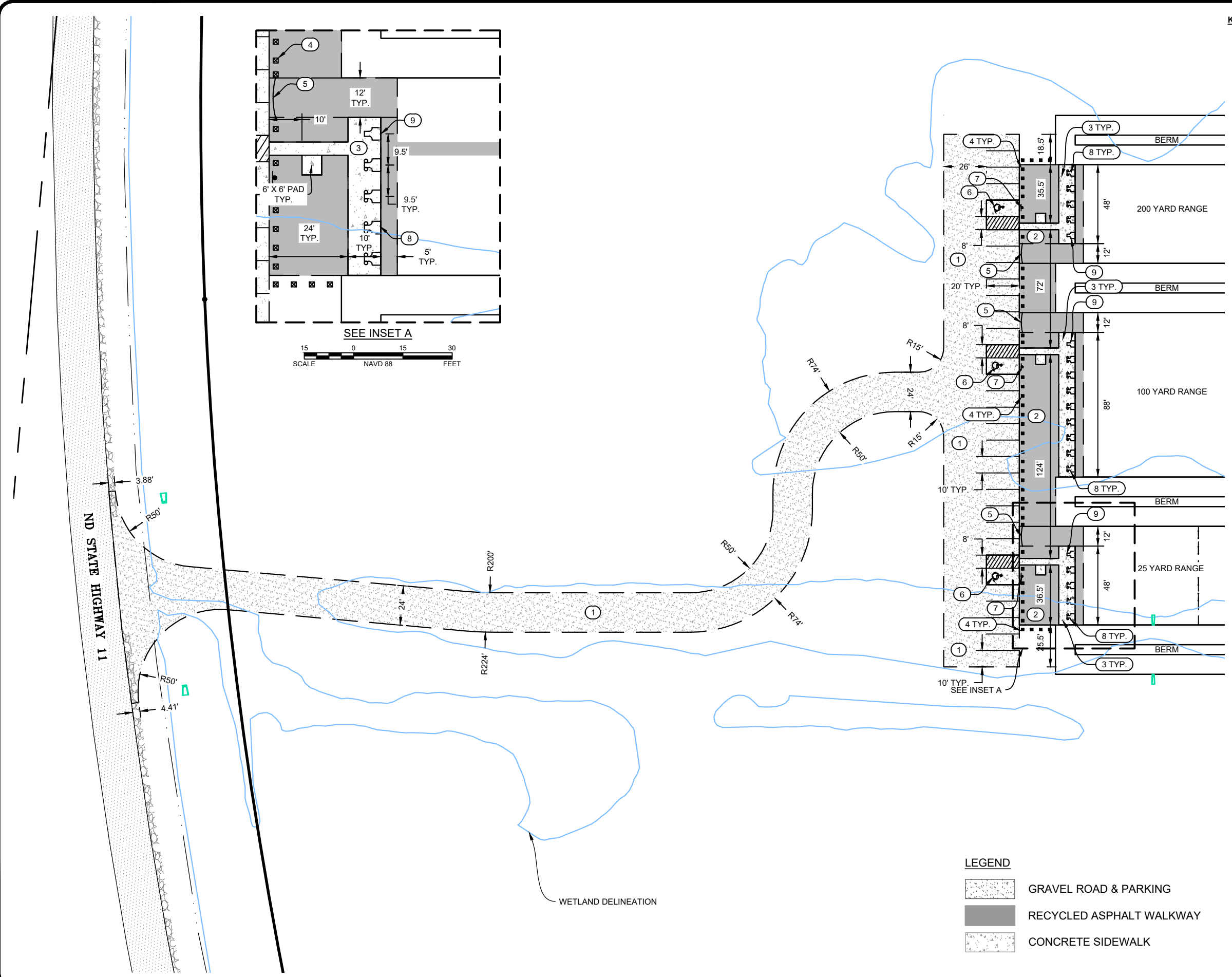
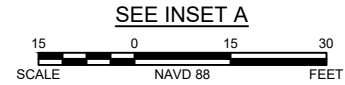
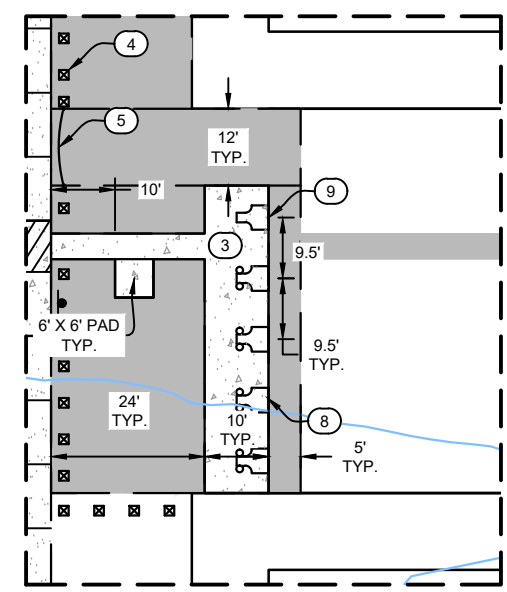
NO.	DATE

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ISSUE DATE	05/12/2023

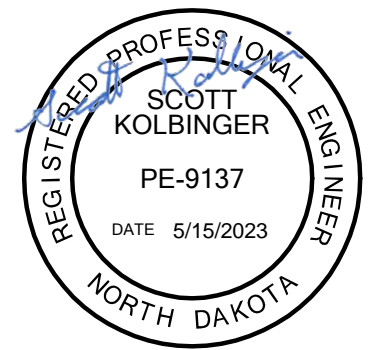
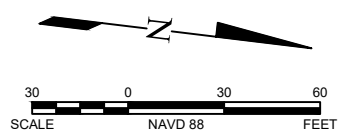
**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA

**SITE LAYOUT (ENLARGED)**  
 SHEET  
**C2.1**

- KEYNOTES:**
- ① GRAVEL ROADWAY - SEE DETAIL 2/C4.1
  - ② RECYCLED ASPHALT WALKWAY - SEE DETAIL 2/C4.1
  - ③ CONCRETE SIDEWALK - SEE DETAIL 2/C4.1
  - ④ VEHICLE BARRIER - SEE DETAILS 3/C4.2 & 4/C4.2
  - ⑤ MAINTENANCE VEHICLE ACCESS GATE - SEE DETAIL 3/C4.1
  - ⑥ HANDICAP ACCESSIBLE STALL PAVEMENT MARKING - SEE DETAIL 5/C4.1
  - ⑦ VAN HANDICAP PARKING SIGN - SEE DETAIL 4/C4.1
  - ⑧ GUN BENCH - SEE DETAIL 1/C4.2 & 2/C4.2 ADD ALTERNATE 1
  - ⑨ ACCESSIBLE GUN BENCH ADD ALTERNATE 1



- LEGEND**
- GRAVEL ROAD & PARKING
  - RECYCLED ASPHALT WALKWAY
  - CONCRETE SIDEWALK







**ABBREVIATIONS:**  
 FG = FINISHED GRADE  
 ME = MATCH EXISTING  
 TA = TOP OF ASPHALT  
 TC = TOP OF CONCRETE  
 TG = TOP OF GRAVEL

**LEGEND**

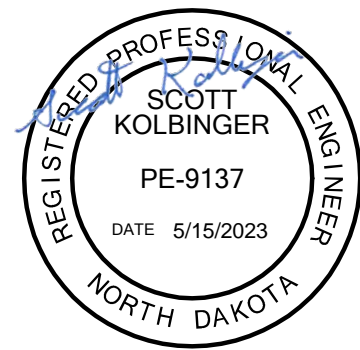
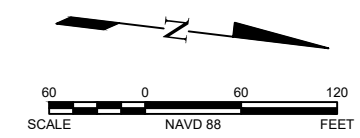
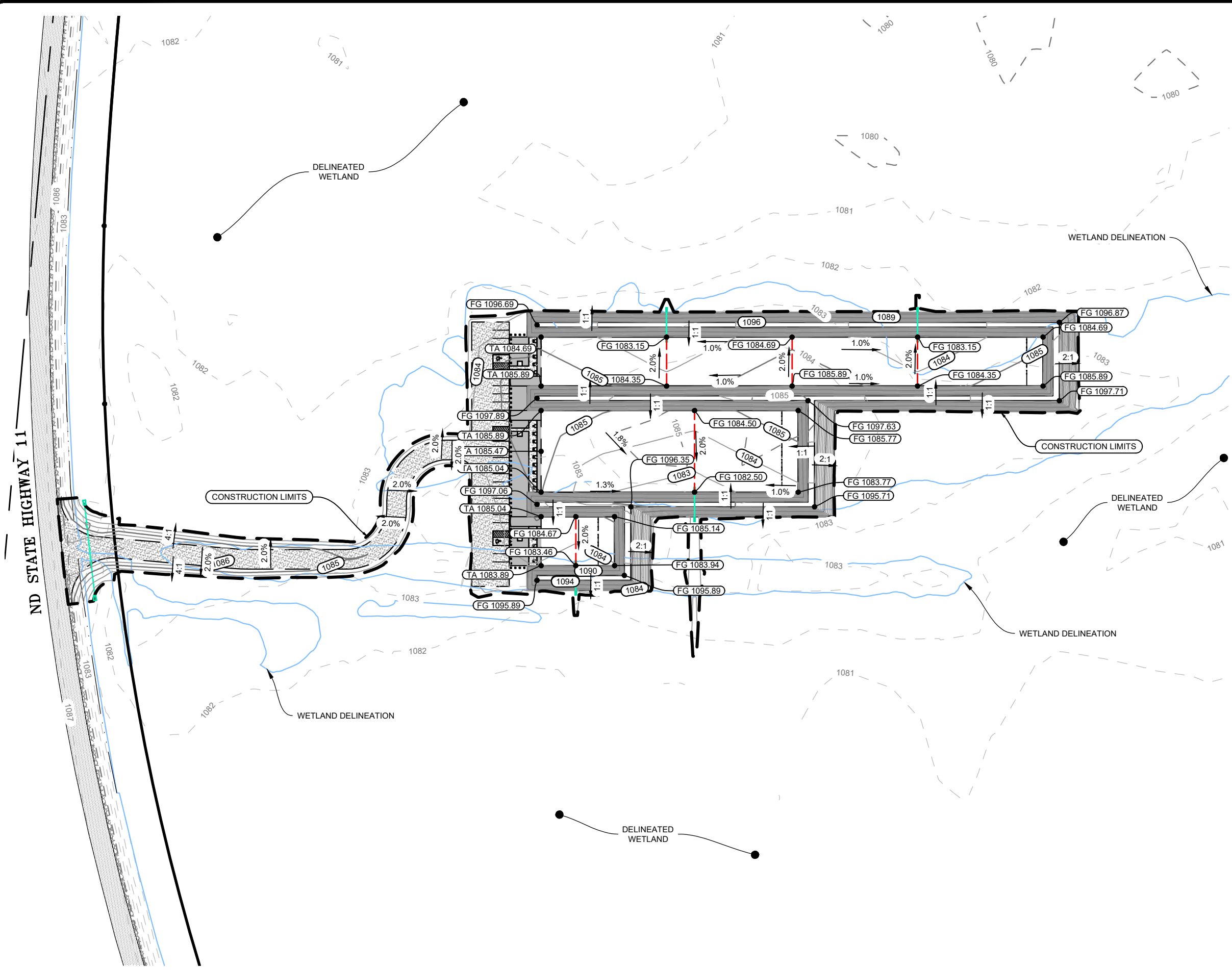
- BREAKLINE
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- CONSTRUCTION LIMITS

NO.	DATE	REVISION

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JJD  
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2302-00496  
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05/12/2023

**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA  
**GRADING PLAN (OVERALL)**

SHEET  
C3.0





ABBREVIATIONS:

- FG = FINISHED GRADE
- ME = MATCH EXISTING
- TA = TOP OF ASPHALT
- TC = TOP OF CONCRETE
- TG = TOP OF GRAVEL

LEGEND

- BREAKLINE
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- CONSTRUCTION LIMITS

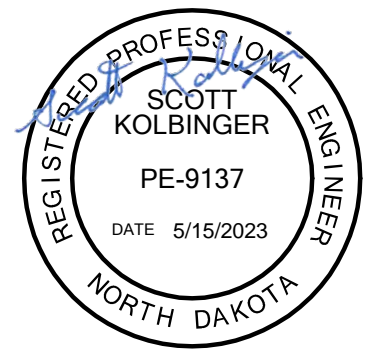
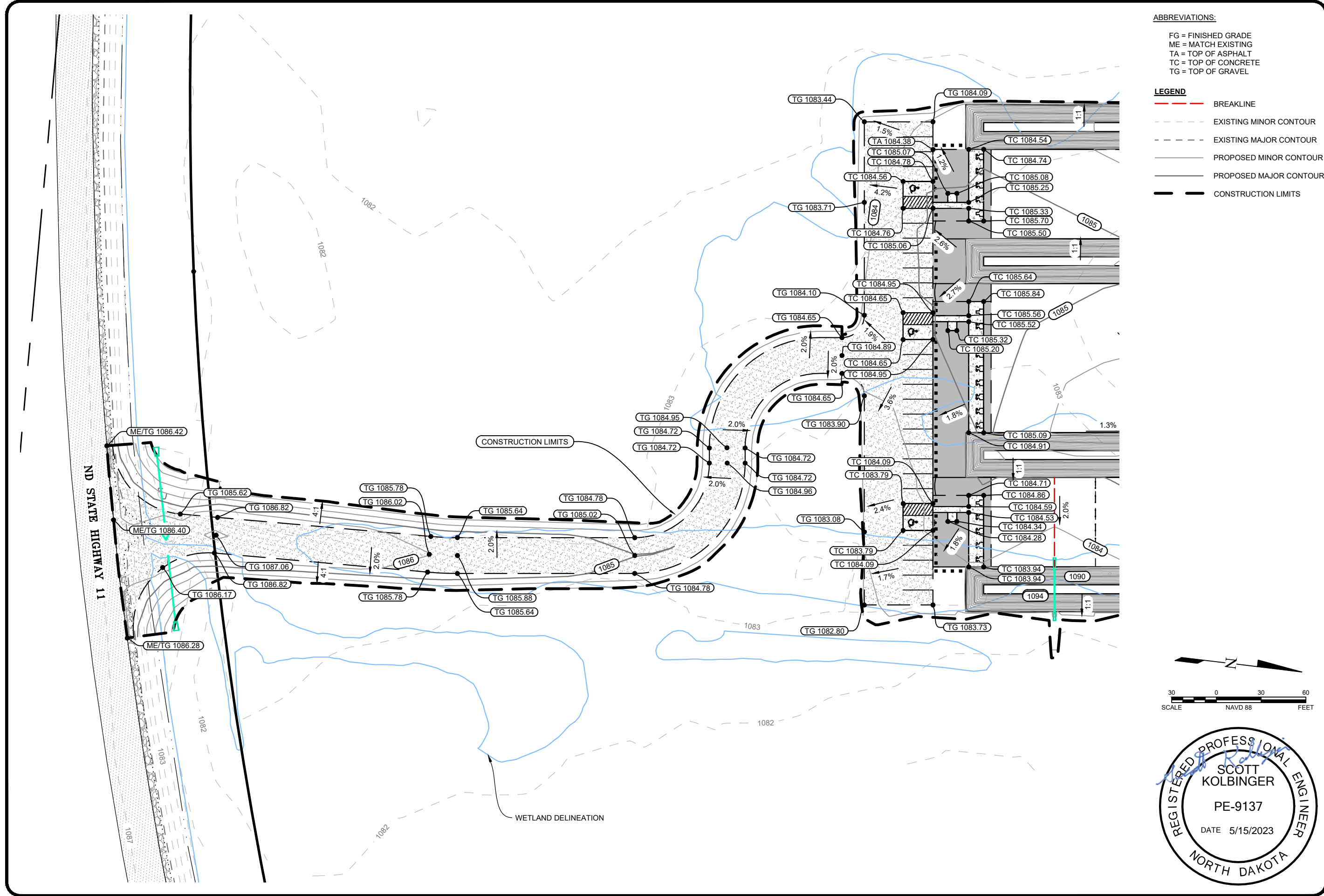
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2302-00496  
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05/12/2023

HANKINSON GUN RANGE  
NORTH DAKOTA GAME & FISH DEPARTMENT  
RICHLAND COUNTY, NORTH DAKOTA

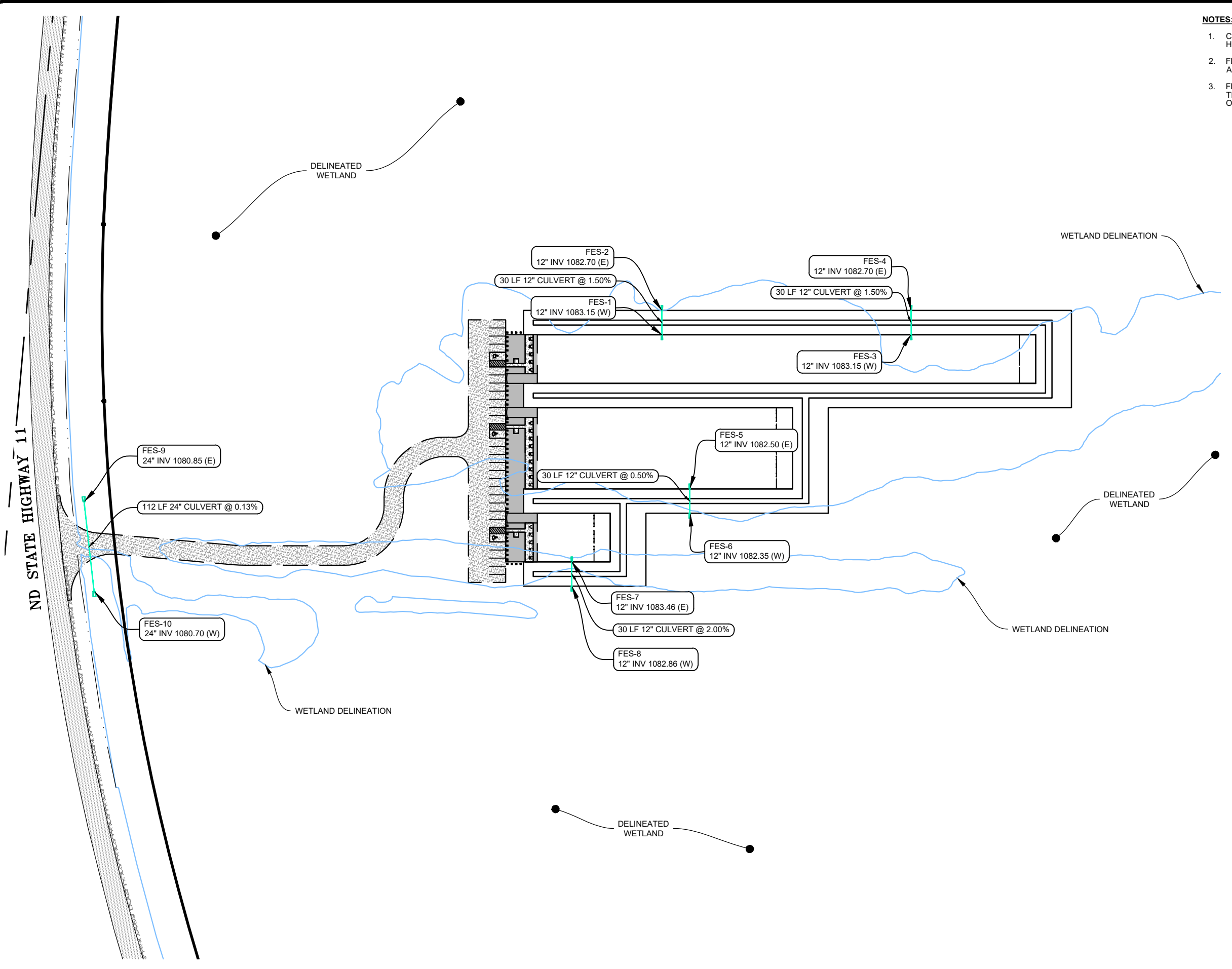
SHEET  
C3.1

GRADING PLAN (ENLARGED)





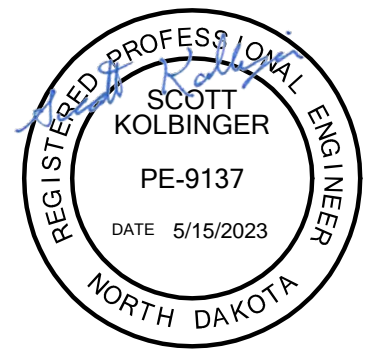
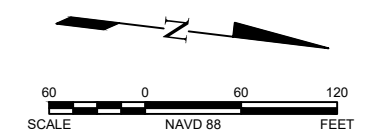
- NOTES:**
1. CULVERTS WITHIN THE GUN RANGE SHALL BE HDPE.
  2. FLARED END SECTIONS WITHIN A SHOOTING AREA SHALL BE HDPE.
  3. FLARED END SECTIONS ON THE EXTERIOR OF THE SHOOTING RANGE SHALL BE EITHER RCP OR STEEL.



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**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA  
 UTILITY PLAN



SHEET  
**C3.2**



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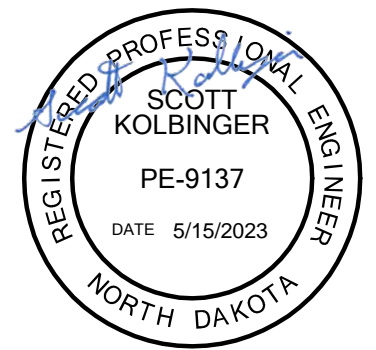
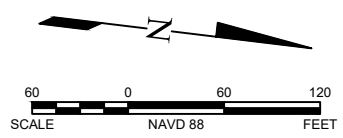
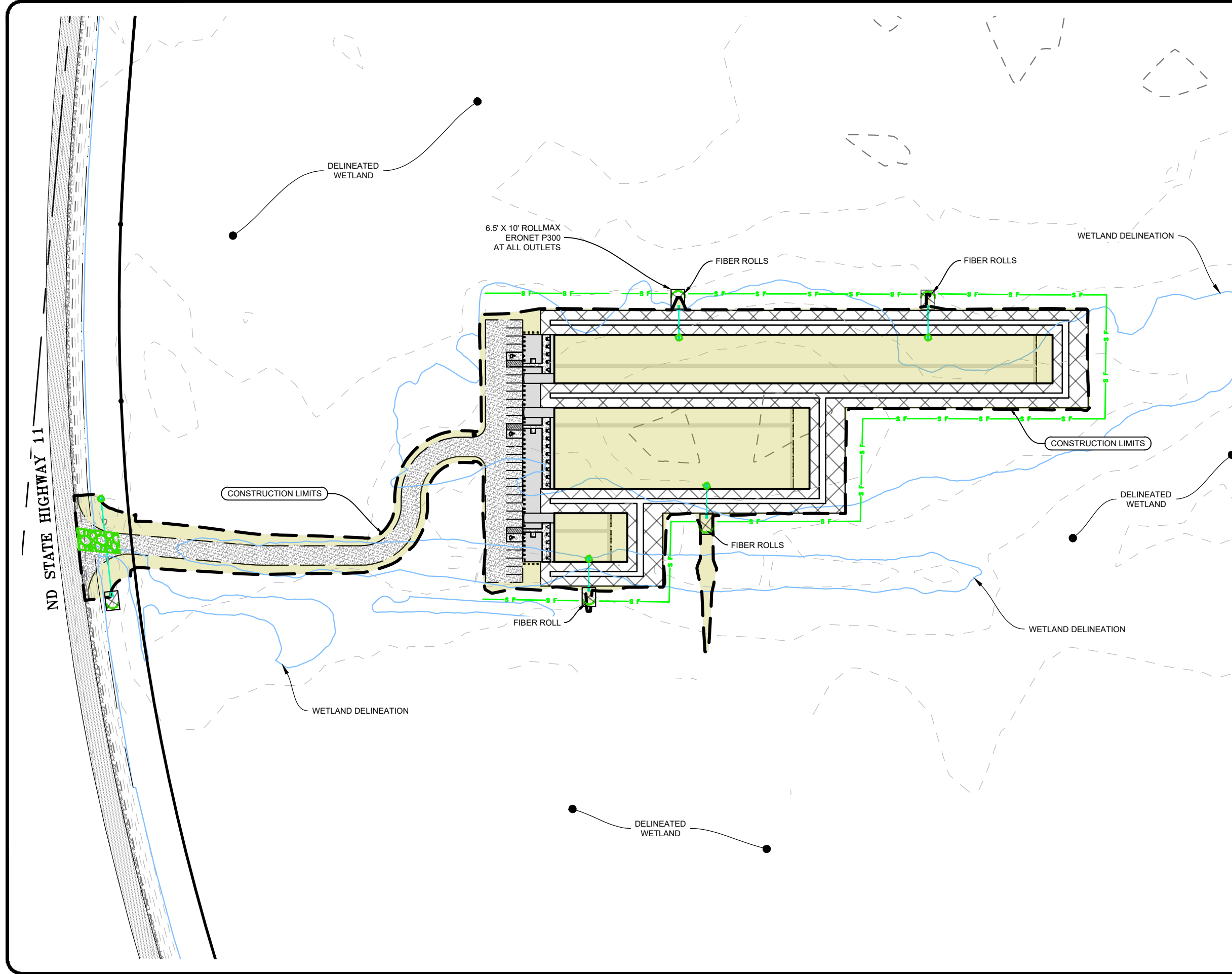
**HANKINSON GUN RANGE**  
 NORTH DAKOTA GAME & FISH DEPARTMENT  
 RICHLAND COUNTY, NORTH DAKOTA

**EROSION CONTROL PLAN**

SHEET  
C3.3

- LEGEND**
- STRAW WATTLES / FIBER ROLLS - SEE DETAIL
  - SILT FENCE - SEE DETAIL
  - ROCK CONSTRUCTION ENTRANCE - SEE DETAIL
  - ROLLMAX ERONET SC150 - SEE DETAIL
  - SEEDING & STRAW MULCH

- NOTES:**
1. TOPSOIL AREAS SHALL BE SEEDED PRIOR TO INSTALLATION OF EROSION CONTROL BLANKETS.
  2. TOPSOIL AREAS NOT COVERED WITH EROSION CONTROL BLANKETS TO BE SEEDED AND STRAW MULCHED.
  3. OWNER WILL PROVIDE SEED AND SEEDING NOTES TO CONTRACTOR PRIOR TO INSTALLATION.

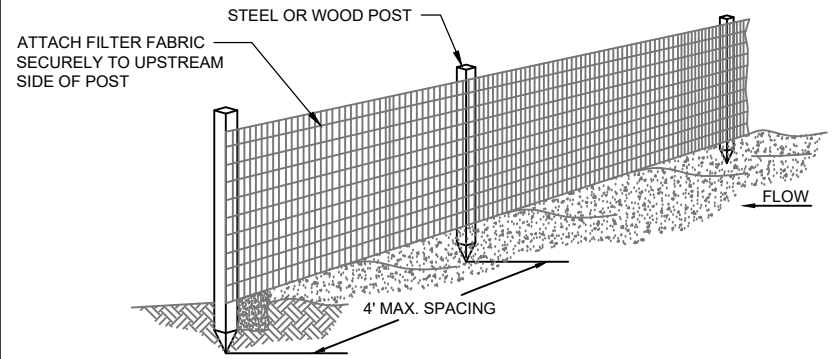
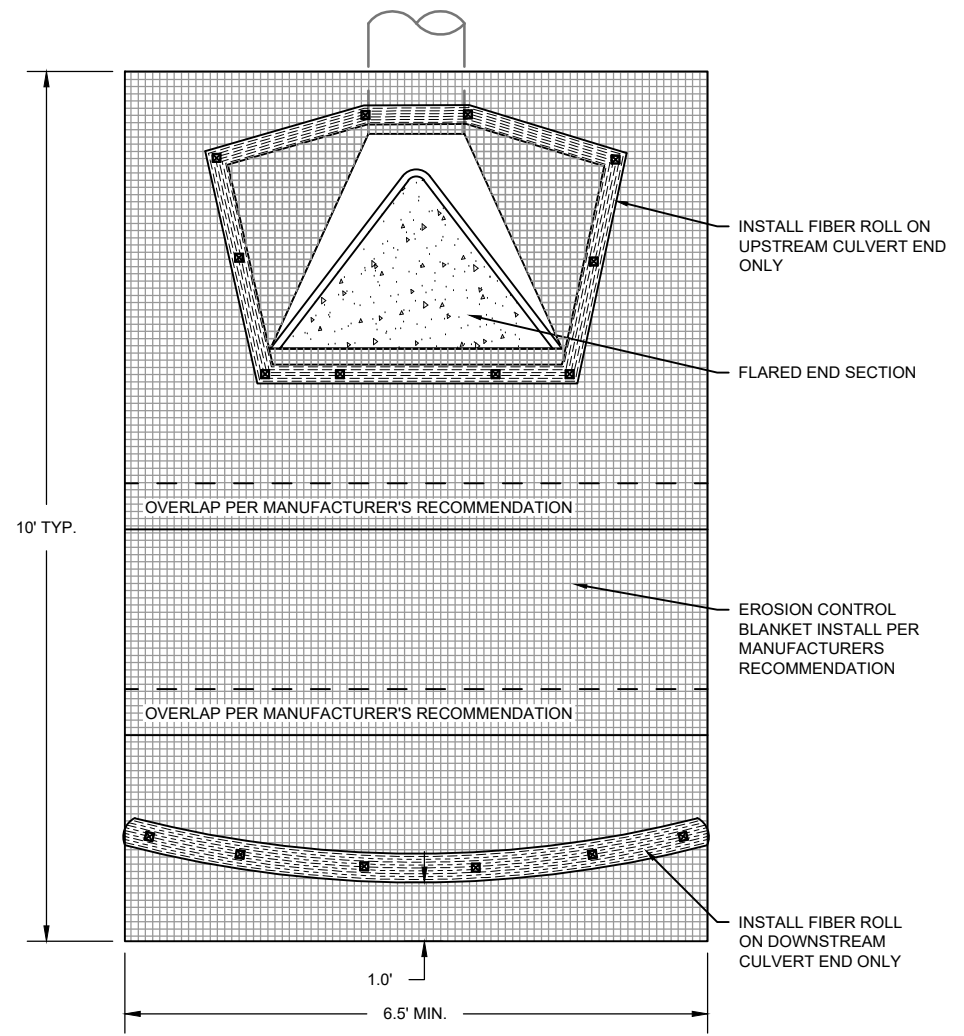
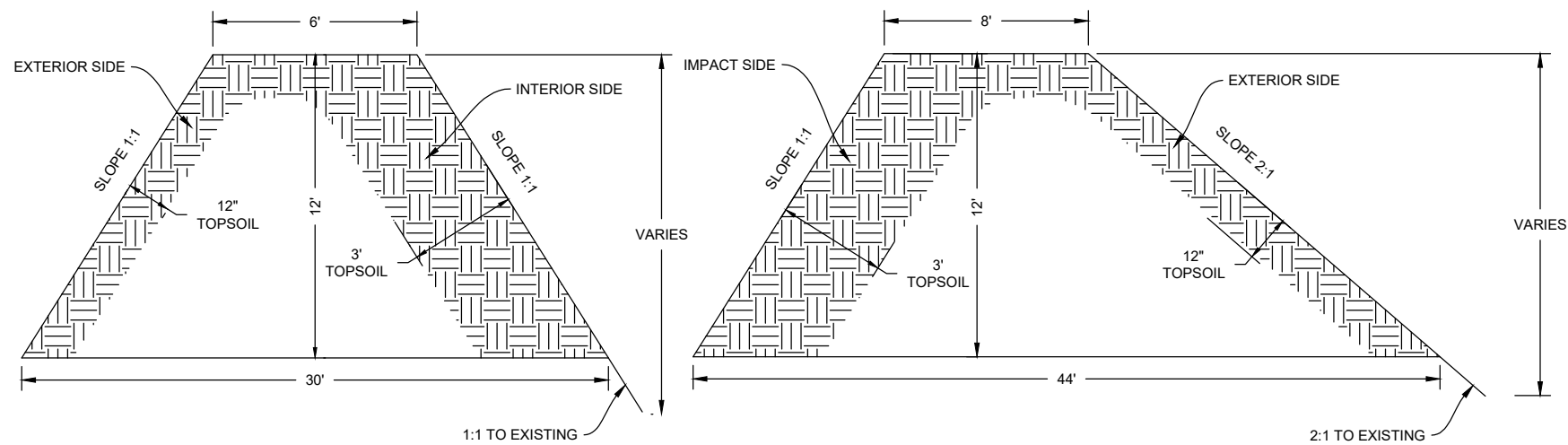


REVISION	
DATE	
NO.	

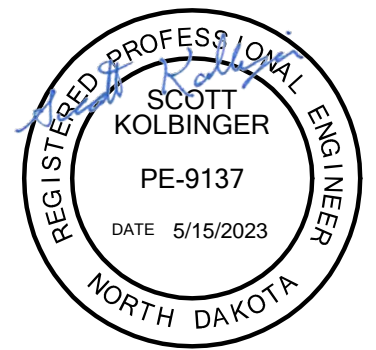
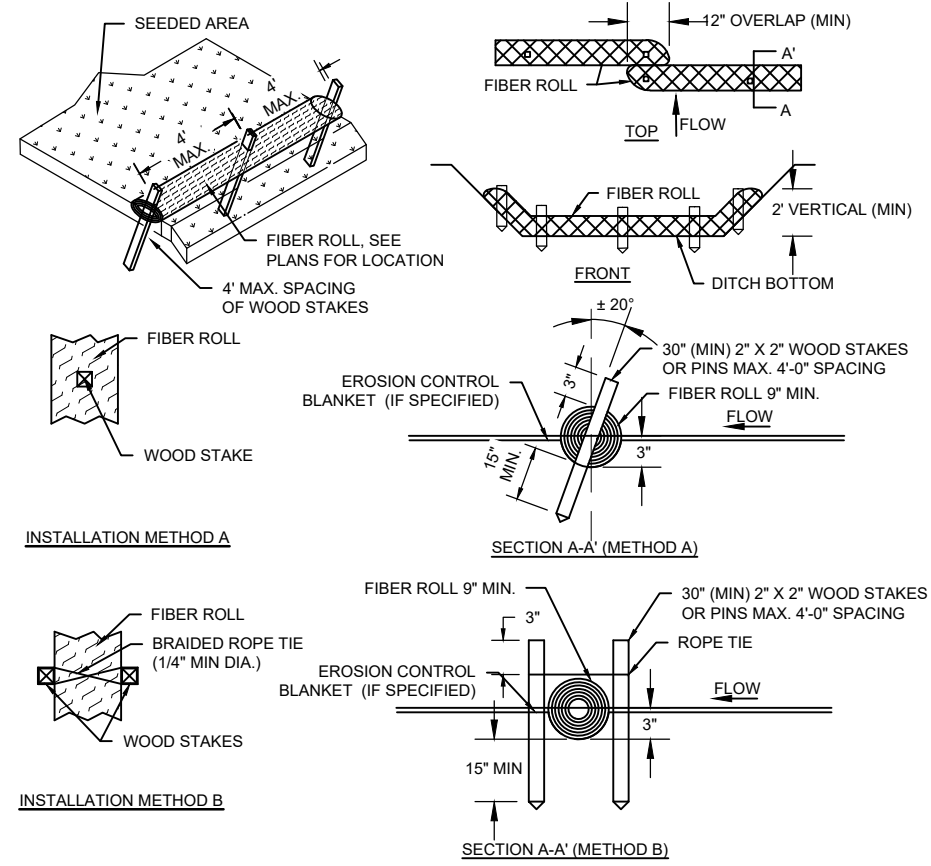
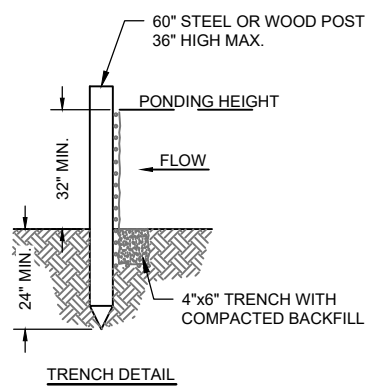
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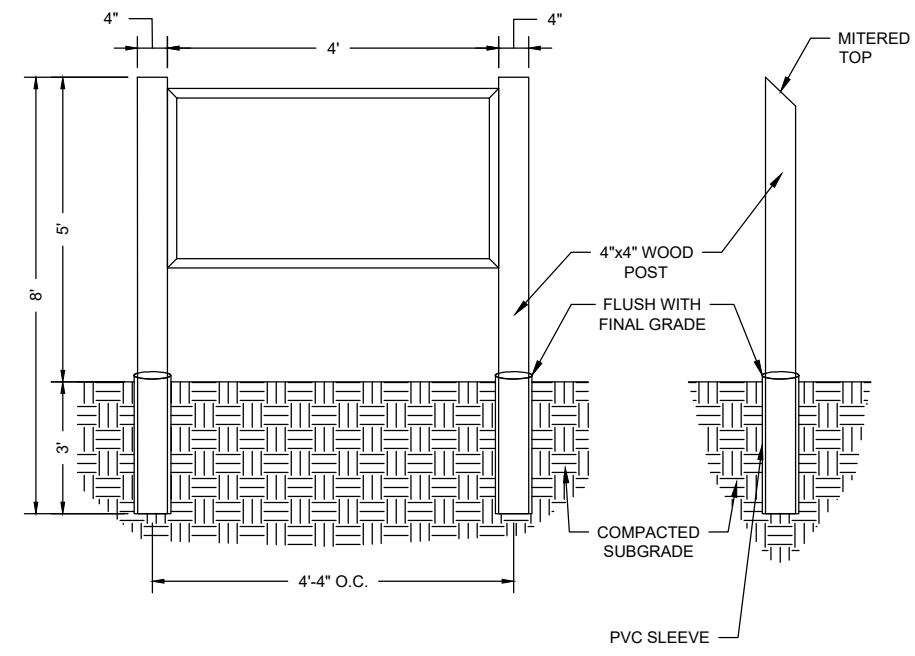
**HANKINSON GUN RANGE**  
NORTH DAKOTA GAME & FISH DEPARTMENT  
RICHLAND COUNTY, NORTH DAKOTA

**CONSTRUCTION DETAILS**



- NOTES:
- SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
  - INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
  - REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.

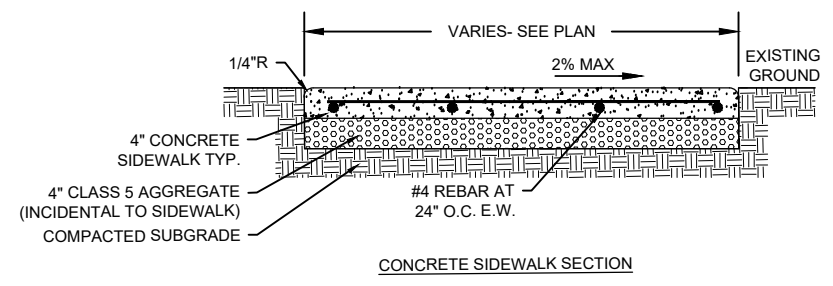




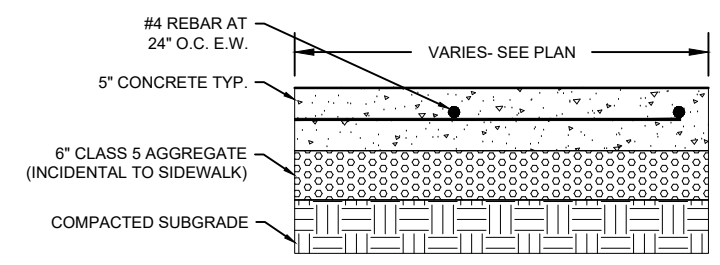
FRONT VIEW

SIDE VIEW

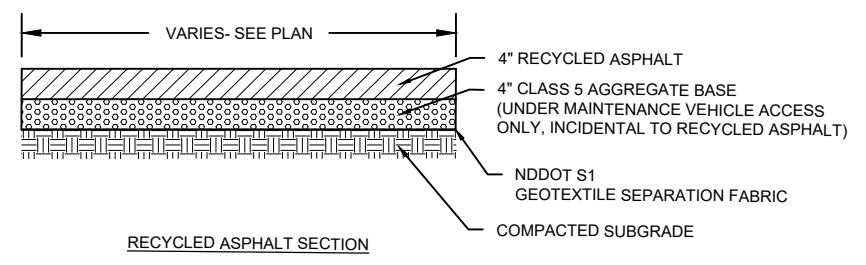
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C4.1 TYPICAL RANGE TARGET  
NOT TO SCALE



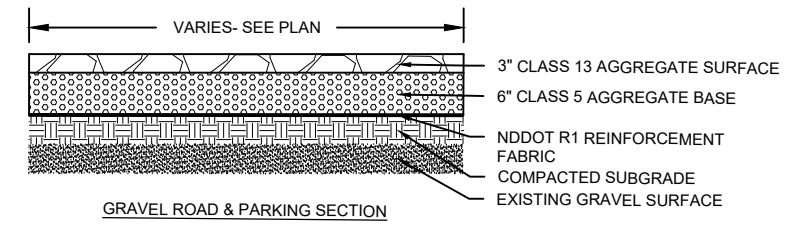
CONCRETE SIDEWALK SECTION



CONCRETE PAVEMENT SECTION



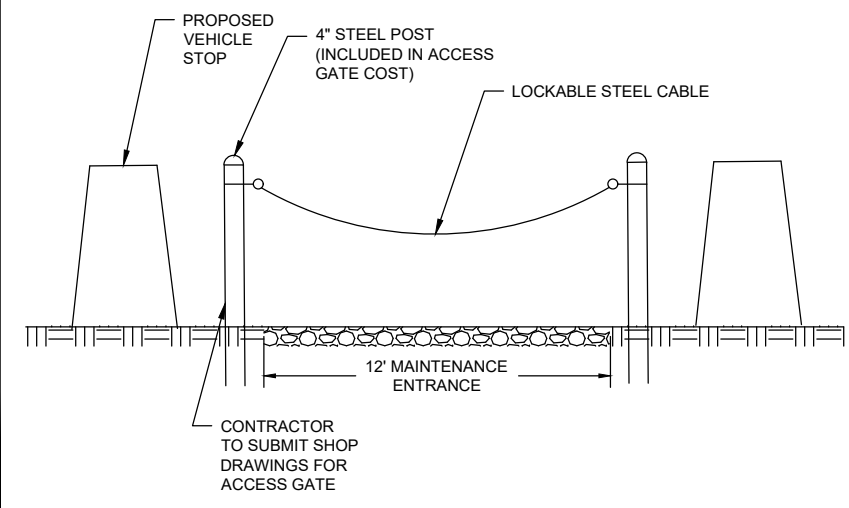
RECYCLED ASPHALT SECTION



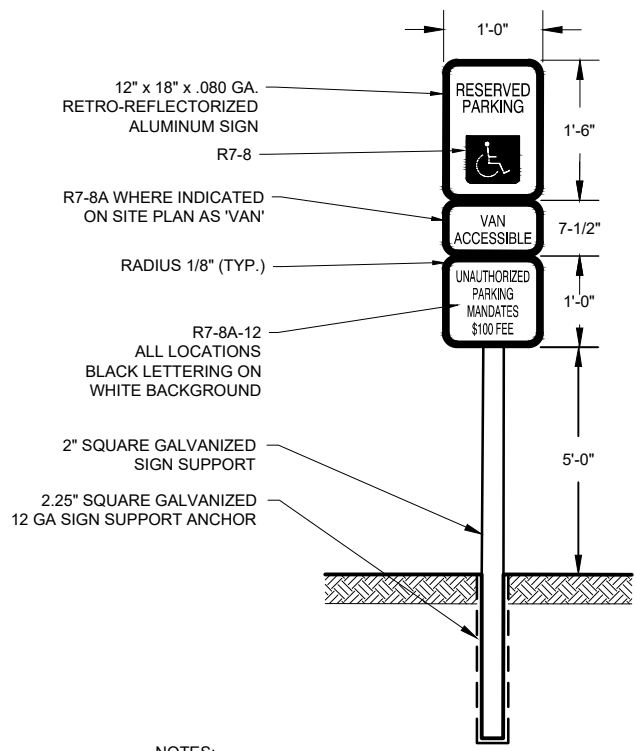
GRAVEL ROAD & PARKING SECTION

- NOTES:
- 3/4" PRE-FORMED EXPANSION JOINT FILLER SHALL BE INSTALLED FOR THE FULL THICKNESS OF THE CONCRETE WALK. EXPANSION JOINT SPACING SHALL NOT EXCEED 100'.
  - ALL EXPANSION JOINTS SHALL BE SEALED.
  - CONCRETE CONTROL JOINTS SHALL NOT EXCEED THE WIDTH OF THE SIDEWALK OR 8 FEET, WHICHEVER IS LESS.

2  
C4.1 PAVEMENT SECTIONS  
NOT TO SCALE

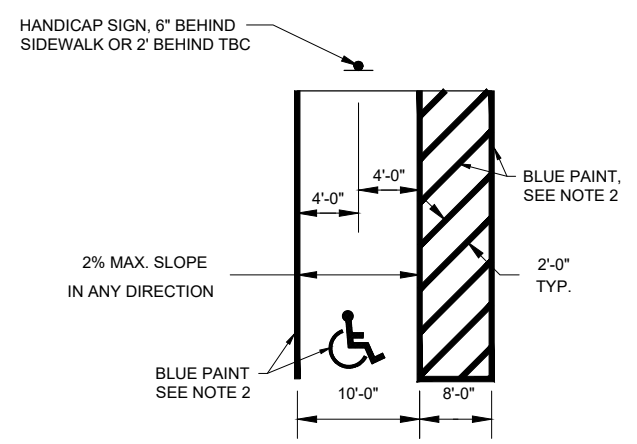


3  
C4.1 MAINTENANCE VEHICLE ACCESS GATE  
NOT TO SCALE



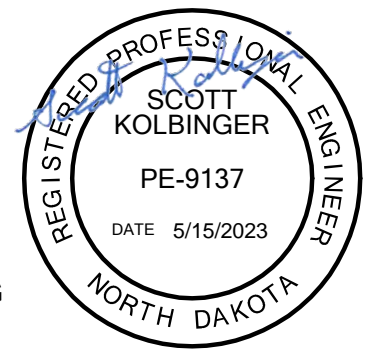
- NOTES:
- PROVIDE (1) SIGN PER HANDICAP SPACE. SEE SITE PLAN FOR EXACT LOCATION.
  - ISOLATION JOINT NOT REQUIRED WITH FLEXIBLE PAVEMENT OR GRASS.
  - SIGNS MAY BE MOUNTED TO SURFACE OF BUILDING WHERE POST MOUNTING IS NOT POSSIBLE.
  - SIGNS SHALL BE 60" MIN. ABOVE GROUND SURFACE, MEASURED TO BOTTOM OF THE SIGN. IF PLACED IN SIDEWALKS, SIGNS SHALL BE 84" ABOVE GROUND SURFACE.

4  
C4.1 ACCESSIBLE PARKING STALL SIGN  
NOT TO SCALE



- NOTES:
- SYMBOL TO BE CENTERED ON WIDTH OF PARKING STALL.
  - USE BLUE (COLOR #105090 IN FEDERAL STANDARD 5952) DOUBLE COAT.
  - ALL DIMENSIONS OF SYMBOL SHALL CONFORM WITH FEDERAL STANDARDS.
  - ONE IN EVERY SIX ACCESSIBLE SPACES, BUT NOT LESS THAN ONE, SHALL BE SERVED BY AN ACCESS AISLE 96" (8') WIDE MINIMUM AND SHALL BE DESIGNATED "VAN ACCESSIBLE".

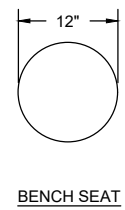
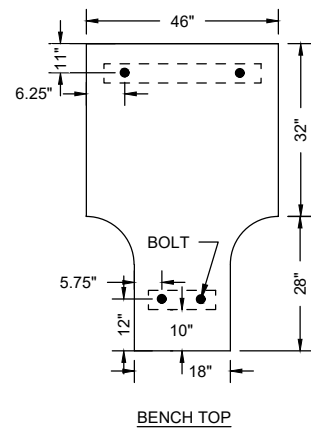
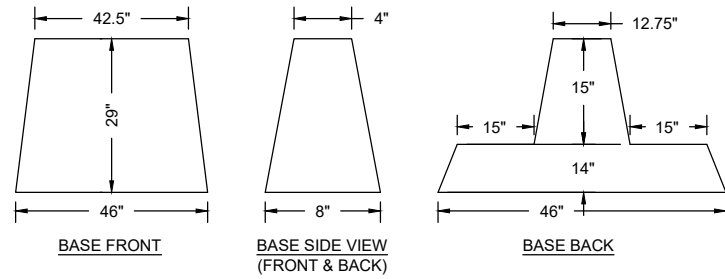
5  
C4.1 ACCESSIBLE PARKING STALL STRIPING  
NOT TO SCALE



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HANKINSON GUN RANGE  
NORTH DAKOTA GAME & FISH DEPARTMENT  
RICHLAND COUNTY, NORTH DAKOTA  
CONSTRUCTION DETAILS

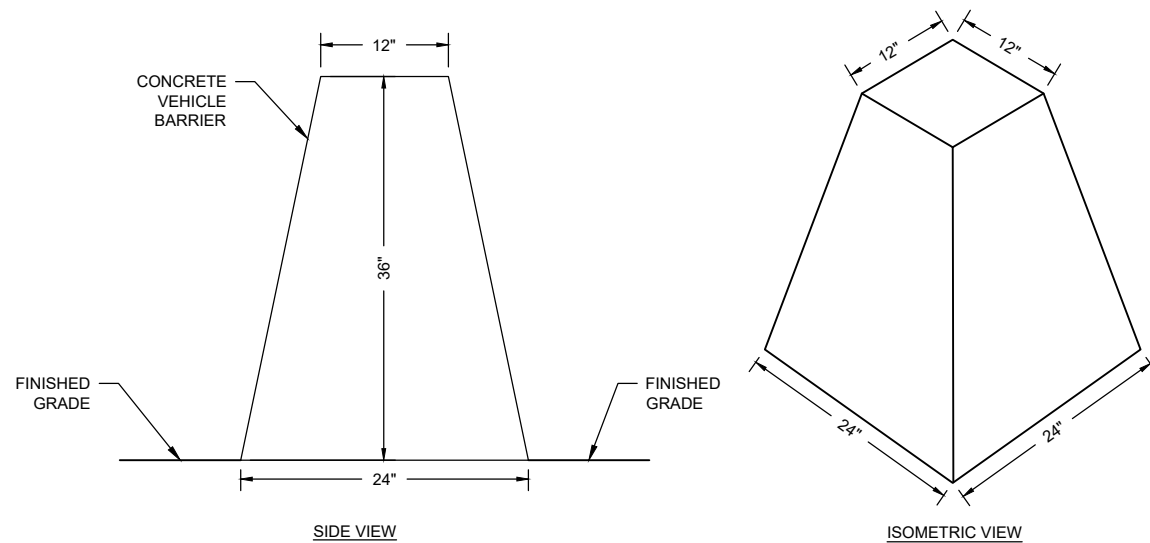


- NOTES**
1. ACCESSIBLE BASE SHALL BE 12" WIDE AT THE TOP AND BOTTOM. BENCH SEATS SHALL NOT BE INCLUDED FOR THE ACCESSIBLE GUN BENCH.
  2. BENCH TOP AND SEAT SHALL BE 4" THICK.
  3. 1" THICK ACME THREAD ROD IN SEAT WHICH ALLOWS ADJUSTMENT 6.5" UP FROM BASE.



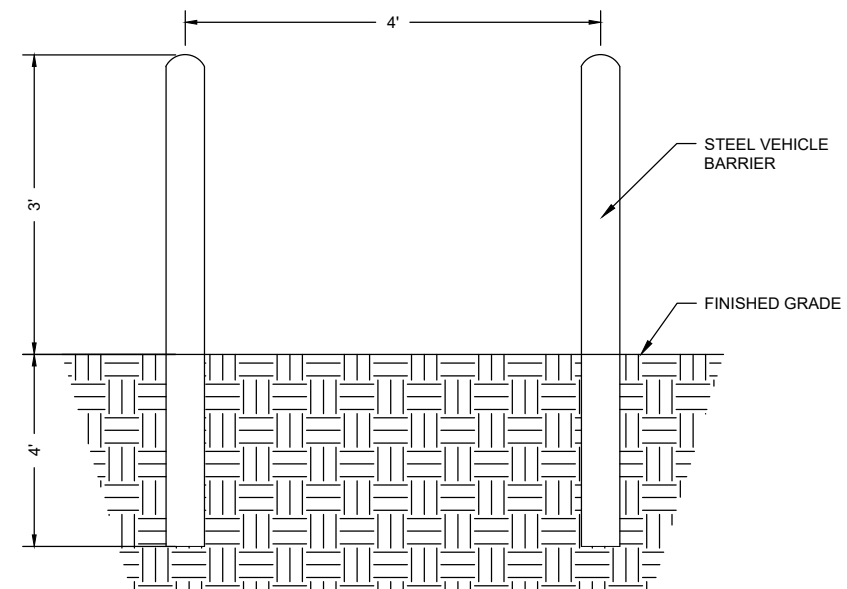
1  
C4.2 TYPICAL GUN BENCH (ALTERNATE BID ITEM)  
NOT TO SCALE

2  
C4.2 GUN BENCH - FINISHED PRODUCT (ALTERNATE BID ITEM)  
NOT TO SCALE

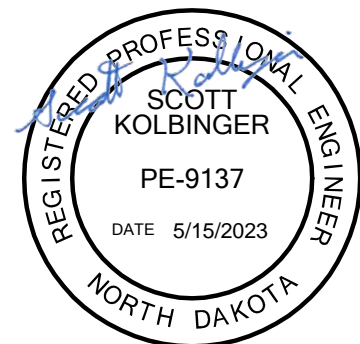


- NOTES**
1. BARRIERS SHALL BE PLACED AT A MAXIMUM DISTANCE OF 4' APART (CLEAR SPACE).

3  
C4.2 CONCRETE VEHICLE BARRIER (ALTERNATE BID ITEM)  
NOT TO SCALE



4  
C4.2 4" STEEL VEHICLE BARRIER (ALTERNATE BID ITEM)  
NOT TO SCALE



NO.	DATE	REVISION

DRAFTED EAS
REVIEWED JJD
PROJECT NUMBER 2302-00496
ISSUE DATE 05/12/2023

HANKINSON GUN RANGE  
NORTH DAKOTA GAME & FISH DEPARTMENT  
RICHLAND COUNTY, NORTH DAKOTA  
ADD ALTERNATE DETAILS

SHEET  
C4.2



NO.	DATE	REVISION

DRAFTED  
EAS  
REVIEWED  
JJD  
PROJECT NUMBER  
2302-00496  
ISSUE DATE  
05/12/2023

**HANKINSON GUN RANGE**  
NORTH DAKOTA GAME & FISH DEPARTMENT  
RICHLAND COUNTY, NORTH DAKOTA  
**ADD ALTERNATE DETAILS**

SHEET  
C4.3

