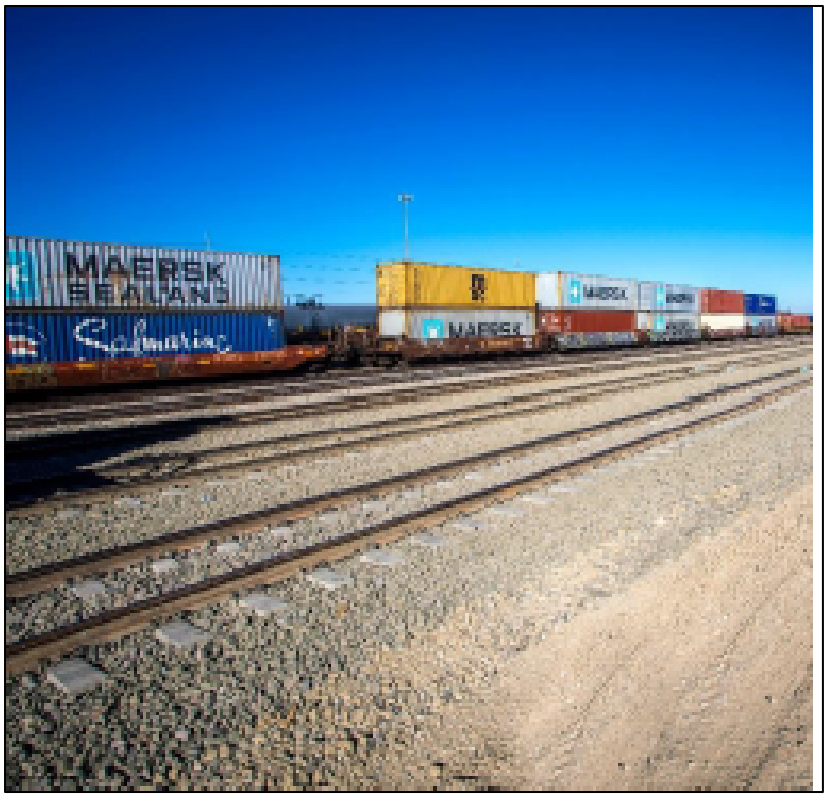
Environmental Assessment

Logistics Park of North Dakota



Issued by: Federal Railroad Administration (FRA)
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March 2024

Logistics Park of North Dakota Project
Environmental Assessment

Prepared by:
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Pursuant to:

National Environmental Protection Act (42 USC § 4321 et seq.), and implementing regulations (40 CFR Parts 1500-1508), 23 CFR Part 771; 23 USC § 139; Section 4(f) of the United States Department of Transportation Act (49 USC §303) and implementing regulations (23 CFR Part 774); Section 106 of the National Historic Preservation Act (54 USC §306108 et seq.) and implementing regulations (36 CFR Part 800); Clean Air Act as amended (42 USC §7401 et seq.) and implementing regulations (40 CFR Parts 51 and 93); the Endangered Species Act of 1973 (16 USC §1531-1544) and implementing regulations (50 CFR Part 402); the Clean Water Act (33 USC §1251-1387) and implementing regulations (33 CFR Parts 320 to 324 and 40 CFR Part 230); and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC §4601).

Approved:

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I. Introduction

The North Dakota Department of Transportation (NDDOT), the City of Minot (Minot), and the Minot Area Chamber Economic Development Corporation (Minot Chamber EDC) are proposing to expand the Logistics Park of North Dakota (LPND) to accommodate rail freight volumes within the region and industrial park (the Project). Rail intermodal service involves the transportation and transloading of containerized freight between truck and rail thus combining the lower cost of rail for long haul distance with the "door-to-door" flexibility of trucking. The existing intermodal facility in Minot lacks efficiency as it can only accommodate a single unit train and lacks adequate transloading facilities and opportunity for industry occupancy (NDTO, 2020). Unit trains are particularly efficient for high-volume commodities as time and money are saved by avoiding complexities with assembling and disassembling trains near the origin or destination.

Intermodal freight transport involves the transportation of containerized freight, using multiple modes of transportation without any handling of the freight itself when changing modes.

Transloading is the process of transferring freight between two modes of transportation (regardless of using a container or not).

A unit train is a train in which all cars carry the same commodity and are shopped from the same origin to the same destination, without being split up or stored en route. Typically, unit trains have between 65 and 200 cars.

The Federal Railroad Administration (FRA) is preparing this Environmental Assessment (EA) to assess and disclose environmental impacts of the Project, in accordance with the National Environmental Policy Act of 1969 (NEPA; 40 Code of Federal Regulations [CFR] 1500–1508, 23 CFR part 771, and other applicable environmental laws. In June of 2019, NDDOT, Minot and the Minot Chamber EDC, were awarded a Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program Grant, administered by FRA, to develop the preliminary design and environmental documentation in compliance with NEPA.

II. Background

A ramp refers to the intermodal terminal where ramps are structured to have equipment drive on/off a railroad flatcar to move goods.

North Dakota did not have an intermodal terminal prior to the development of the LPND in 2020. A new intermodal site was identified and established in Minot, North Dakota and proposed to be built in phases. In October 2020, intermodal rail service commenced at the new LPND with Rail Modal Group (RMG) operating the ramp. Burlington Northern Sante Fe (BNSF) operated a terminal in Dilworth, Minnesota, near the North Dakota border that served intermodal access for at least the eastern half of North Dakota. It ceased operations in 2008. Consequently, North Dakota intermodal shippers were left to truck freight to Minneapolis (a 6-hour drive from Bismarck; 7.5 hours from Minot) and Winnipeg (6.25 hours from Bismarck; 5 hours from Minot), only to be

loaded in railcars and transported to the west coast for international export via the Port of Tacoma and Port of Seattle (NDTO, 2020).

LPND's anchor tenant is AGT Foods (AGT), a world-leading supplier of value-added legumes, staple foods, and food ingredients. LPND leverages existing highway and rail infrastructure and is geographically positioned to serve regional markets with efficient freight transportation. A recent market analysis suggested that industries most likely to be large users of intermodal transportation services in Minot are primarily agricultural commodity and food product industries. Wholesale trade related to agricultural and construction machinery may generate small volumes and manufacturing industries are not expected to be significant drivers of intermodal shipping (HDR, Ackerman Estvold, and Global Innovative Solutions, 2022).

In 2014, the North Dakota Trade Office launched the North Dakota Intermodal Initiative (NDII) after specific intermodal issues were identified in North Dakota. The NDII made the following conclusions: North Dakota exporters did not have nearby options for shipping their export goods in containers, North Dakota's exports continue to grow, and global demand for North Dakota exports such as identity-preserved grains, oilseeds, and food products is increasing rapidly. Several other studies have been completed to determine the benefits and challenges with developing an intermodal logistics facility in North Dakota (UGPTI - NDSU, 2002), (NDTO, 2014), (NDTO, 2017a), (NDTO, 2017b), and (UGPTI - NDSU, 2021).

III. Project Location

The Project Area is identified as the LPND, an approximately 800-acre site in Minot, North Dakota (**Figure 1**). The existing facility is located south of Ward County Route 12 (CR 12). The area for the proposed expansion would be north of CR 12 and framed on the west side by Ward County Route 19 (CR 19) and east side by 55th Street NE. The Project Area consists of a gravel pit, a former FEMA mobile home park, and one industry with a rail spur that connects to the BNSF mainline, Tatman Spur.

The existing LPND site in Minot is located within the central part of the state, with convenient access to rail and highway transportation infrastructure, and within 1 day of other dedicated intermodal rail container service facilities. The site is on the BNSF mainline, approximately halfway between Chicago, Illinois and Seattle, Washington. Minot serves as a division point for BNSF, with Gavin Yard (the existing railroad switchyard) located south of CR 12 where trains are refueled, and safety inspections are conducted.

The LPND has direct access to three U.S. highways via CR 12. Minot also is located on two Class I railroads, with rail access currently serving the existing site provided by BNSF through a BNSF spur track, Tatum Spur, bordering the west side of the project. The site is zoned for heavy industrial.

The Minot Chamber EDC owns the 800-acre site and has proposed to complete the development of the rail infrastructure on the site. The existing site includes multiple rail storage lines, rail switches, and site grading of approximately 77 acres. The CRISI Program Grant was assigned to the development of the necessary rail infrastructure on site to serve intermodal

operations. The necessary rail infrastructure includes an infinity loop, intermodal rail lines, transloading rail lines, manifest rail lines, and industry connection rail lines. Refer to **Chapter 2, Section B** for further discussion.

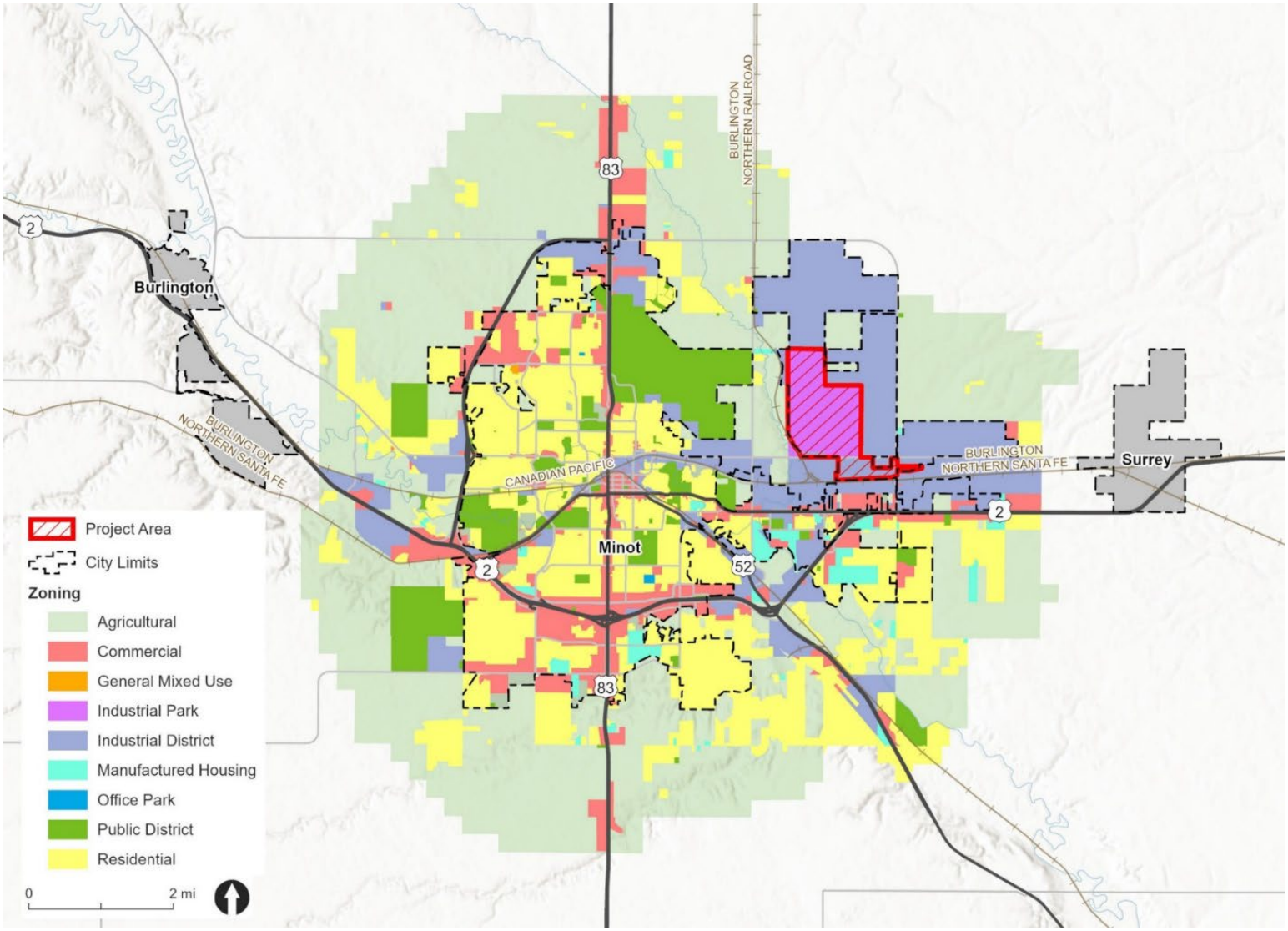


Figure 1. Logistics Park of North Dakota Project Area

IV. Purpose and Need

A. Purpose of the Project

The Project purpose is to provide North Dakota and the surrounding region access to an intermodal facility with transloading capability between truck and rail that facilitates cost-competitive shipment of goods among domestic and international markets.

B. Need for the Project

Several plans and studies have documented ways to best address the intermodal transportation services gap in North Dakota and include: *NDDOT TransAction III (*hereafter referred to as the *Freight Plan)*, *ND State Freight Plan*, *ND State Rail Plan,* and an independent market analysis (NDDOT, 2012), (NDDOT, 2015), (NDDOT, 2017), and (HDR, Ackerman Estvold, and Global Innovative Solutions, 2022).

Needs synthesized from these plans and studies can be categorized into three themes – demand; operations; and cost and linkage. They include:

- Accommodate existing and future freight demand in North Dakota **(Demand)**
- Provide operationally efficient transloading capabilities between truck and rail in North Dakota **(Operations)**
- Provide a competitively priced intermodal facility that connects North Dakota to international markets and key regional centers **(Cost & Linkage)**

1. Accommodate Existing and Future Rail Freight Demand

North Dakota's agricultural production, in combination with rising global demand for its agricultural products, creates export demand. By 2030, global consumption of wheat is anticipated to increase by 6.9 percent, soybeans by 23.6 percent, and coarse grains by 12.3 percent (HDR, Ackerman Estvold, and Global Innovative Solutions, 2022). For context, the North Dakota Intermodal Initiative 2017 update indicates there are currently 340,000 tons of legumes that would be diverted from truck transport to rail transport if an intermodal facility existed in central North Dakota (NDTO, 2017a). This volume of legumes is anticipated to be consistent now and into the future. This equates to approximately 17,000 intermodal containers per year. They have also estimated an annual divertible volume of approximately 8,000 containers for food grade soybeans and 51,000 containers for commodity grain, soybeans and DDGS (dried distiller grains with soluble). This would be a total of 76,000 containers a year from the legumes, food grade soybeans and commodity grain, soybeans and DDGS. Additionally, wholesale trade related to agricultural and construction machinery may generate small volumes as well as manufacturing industries would augment demand.

Freight transport demand can be expressed by evaluating employment and location quotient (LQ) at various geographic scales. A LQ measures a region's industrial specialization relative to a larger geographic area, usually the nation. An LQ equal to 1.0 means that an industry is equally concentrated in the region as the nation, while an LQ greater than 1 means that the region has a higher concentration of that industry compared to the nation. A recent market

analysis provides employment statistics and a LQ analysis for Ward County, the adjacent counties within about 100 miles of Minot (the Region), and North Dakota. Counties surrounding Ward County have LQ's in agriculture and forestry of 11 or greater compared to North Dakota LQ of 5.4, indicating a strong concentration of agricultural industry in North Dakota and even a stronger concentration in the Region. When analyzed for large manufacturing, defined as sectors with a volume of totals sales of at least $1 billion or employment larger than 1,000, there are nine manufacturing industries with a LQ greater than 1 in North Dakota. The highest being manufacturing of agricultural, construction, and mining machinery (LQ=10.2) and grain and oilseed milling (LQ=5.4). Large manufacturing is key because they have greater demand for operations space and transportation services provided by an intermodal rail facility (HDR, Ackerman Estvold, and Global Innovative Solutions, 2022).

The FHWA Freight Analysis Framework (FAF) provides forecasts that are based solely on economic projections. Transport capacity and performance, including any transportation improvements that might be needed to accommodate additional demand and many other factors determining whether the forecasts are or can be achieved in practice. Thus, the FAF forecasts are best used to quantify potential opportunity and/or need. Between 2017 and 2045, FAF indicates North Dakota is expected to add 58.1 million tons of freight. International trade represents 80% of the tonnage increase, suggesting an increasing national dependence on North Dakota's trade and transportation infrastructure (BTS and USDOT-FHWA, 2021).

As discussed above, the LPND is in the ideal location for an intermodal facility for the region. The site has rail access and lots for industries that will need rail service. Between October 2020 (when intermodal rail service commenced) and through June 2021, 28 full unit trains with over 6,000 containers had shipped out of the LPND – almost one train per week[1]. The current conceptual plan of the LPND expansion includes approximately 27 rail and non-rail served facilities with usages such as agricultural (production, food processing, and storage), distribution, manufacturing, and storage (petroleum and other products). The specific industries and facilities will be industry driven and due to the ideal location, rail service to the industries will be needed.

2. Operationally Efficient Transloading Capabilities

The *2015 Freight Plan* noted that bottlenecks existed where freight movement exchanges between transportation modes occurred, due to inadequate infrastructure and operational issues. Stakeholder and public input surveys indicated that bottlenecks most frequently occurred between transportation modes, where there was inadequate infrastructure and operational capacity to address demand. Stakeholders also indicated that the lack of access to a dedicated intermodal container service causes bottlenecks because of the increased traffic movements needed for multimodal exchanges when intermodal containers are not available (NDDOT, 2015). The 2023 Freight Plan reiterated this by setting the freight and rail plan goals of connected freight network and improve network efficiency and productivity (NDDOT, 2023b).

[1] This volume of rail cars traveling from the LPND is the most recent information available and is anticipated to be consistent in upcoming years. This volume of rail cars was confirmed in February 2024.

When the supply and demand for a single commodity is available, a full unit train offers the most efficient means of rail transport. When rail lines at an intermodal logistics facility are of insufficient length and arrangement to accommodate full unit trains, more complicated maneuvering of trains is required and creates inefficiencies. The existing rail yard facility north of CR 12 has three rail lines varying in length from 2,100 to 3,600 feet which is insufficient for full unit trains and results in trains blocking CR 12 when maneuvering in and out of the rail lines. The existing rail yard south of CR 12 comprises 3 additional rail lines with only one of the three able to accommodate a full unit train. The rail arrangement on the south site requires the unit train to be broken into multiple sections, processed, and repositioned before it can be moved outbound. Additionally, the south site can only accommodate a single unit train at one time and does not allow for a drop, hook, and pull scenario for an inbound and outbound unit train concurrently. This severely impacts operational efficiency. The LPND would need rail lines to be 6,500 feet in length to allow for maneuvering and storing full unit trains. Additional rail lines would also allow the facility to dedicate certain lines for specific purposes.

3. Intermodal Container Rail Service Facility that Efficiently Connects North Dakota to International Markets and Key Regional Centers

Although many factors play a role in the costs to import and export goods, costs are ultimately driven by the operational efficiency of freight movement and can be expressed quantitatively with drayage costs. Drayage is an essential logistics service used to transport goods over short distances and is often referred to as the “first mile”. Drayage costs are associated with the handling of freight between trucks and rail and vice versa. These costs are significantly higher when those transfers are completed in separate locations and facilities to maximize loads. The Minot Chamber EDC has determined drayage costs of transporting freight from various locations in North Dakota through St. Paul, Minnesota or Regina, Saskatchewan facilities (**Table** 1). To provide a competitively priced rail service at the facility, there is a need to reduce the drayage costs experienced by North Dakota markets.

Table 1. Drayage costs per ton of freight moving from various places in North Dakota through St. Paul or Regina.

	Drayage Costs moving through Minot (USD)	Drayage Costs moving through St. Paul or Regina (USD)
Dickinson	722	2,081
Bismarck	492	1,713
Jamestown	707	1,171
Grand Forks	849	1,286
Devils Lake	507	1,609
Williston	549	746

V. Alternatives

This chapter describes the preliminary site identification, site layout concept development, screening process, and alternatives carried forward for detailed study. Initial planning occurred for the Project, which considered the site identification and possible site layout concepts.

1. Alternatives Development and Screening

FRA, NDDOT, Minot, and Minot Chamber EDC initially considered the site identification and possible site layout concepts. The purpose and need for the Project were also developed to guide the evaluation of the concepts and later the alternatives.

Early coordination occurred with the following agencies through scoping letters and their input was taken into consideration throughout the screening and analysis of the concepts and alternatives.

- *North Dakota Department of Water Resources*
- *Indian Affairs Commission*
- *Noth Dakota Forest Service*
- *North Dakota Game & Fish Department*
- *North Dakota Geological Survey*
- *North Dakota Geological Survey*
- *North Dakota Parks and Recreation*
- *North Dakota State Historic Preservation Office*
- *North Dakota Trust Lands*
- *North Dakota Department of Environmental Quality*
- *Bureau of Indian Affairs*
- *Bureau of Reclamation*
- *Federal Emergency Management Administration*
- *Grand Forks Air Force Base*
- *U.S. Coast Guard*
- *U.S. Geological Survey*
- *U.S. Army Corp of Engineers*
- *U.S. Department of Corrections*
- *U.S. Department of Energy*
- *U.S. Environmental Protection Agency*
- *U.S. Fish and Wildlife Service*

The U.S. Army Corp of Engineers (USACE) was invited to participate as a cooperating agency. The USACE requested to remain as a commenting agency instead of a cooperating agency in their response dated January 15, 2023. The sections below provide a summary of the preliminary site identification, preliminary concepts, and screening criteria developed.

2. Preliminary Site Identification

For site identification, the introduction and background of the LPND is presented in Chapter 1 – Purpose and Need. Ultimately, Minot was chosen for the LPND for several reasons, including:

1) Presence of two Class I rails – BNSF and Canada Pacific (CP).
2) Central location in North Dakota with excellent access to U.S. highways (US 83, US 52 and US 2).
3) Position as the only BNSF Certified Site for Intermodal Development in North Dakota. BNSF certification ensures a site is ready for rapid acquisition and development through a comprehensive evaluation of existing and projected infrastructure, environmental and geotechnical standards, utility evaluation, and site availability.
4) Location between west coast ports and other major container intermodal yards to the east (Minneapolis and Chicago).
5) Location of BNSF rail refueling station and inspection point at Gavin Yard, located on the east edge on the city limits of Minot.

3. Preliminary Concepts

Once FRA, NDDOT, Minot and Minot Chamber EDC determined that the site had geographic and logistical merit for hosting the LPND, focus turned to determining the site configuration. The design team identified design factors to be incorporated into the concepts for the site configuration. The following design factors were identified by the FRA, NDDOT, Minot, Minot Chamber EDC, and the design team:

- *Tie Into BNSF Mainline or Spur*: Potential site configurations would need to tie into the BNSF mainline or spur.
- *Connect with Facilities*: Site configurations would need to allow for rail service connections with warehouse/cross-dock facility, dry bulk, liquid bulk, and renewables facilities, and have circulation roads and truck queuing areas.
- *Maximizing Shared Space*: The concepts would need to maximize shared space yet allowing for fluid rail operations for a diversity of rail facilities.
- *Minimize Environmental Impacts and Requirements*: Minimize impacts to environmental resources and permitting needs (i.e. wetland impacts and Section 404 permitting).

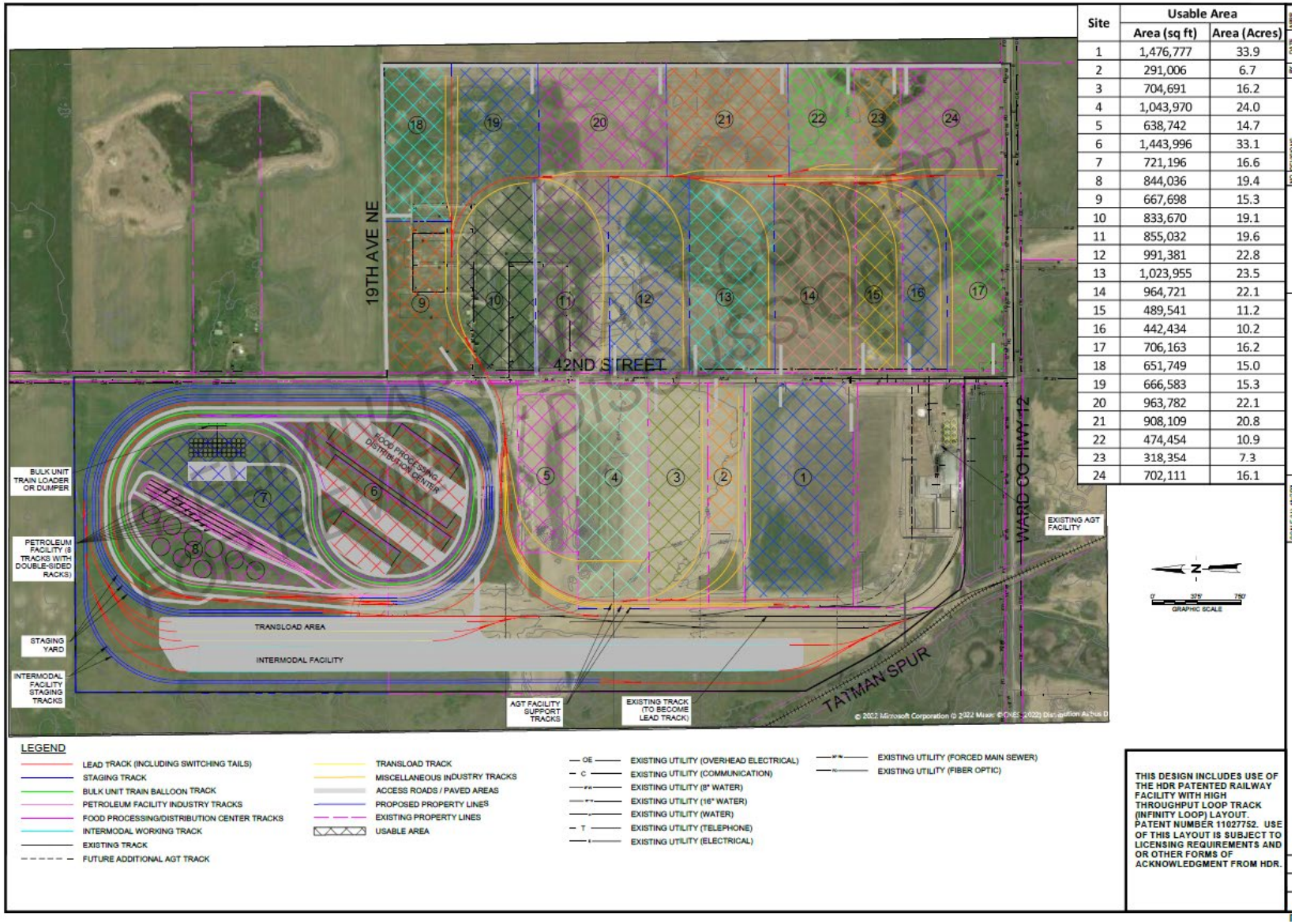
Two initial site configurations, Concepts 1 and 2, were determined suitable based on these site requirements. Concept drawings were completed for each configuration using BNSF Design Guidelines for Industrial Track Projects (**Figure 2** and **Figure 3**). Both concepts include a patented infinity loop to service large-scale dry bulk, liquid bulk and ethanol/biodiesel (renewables) facilities, and small manifest (carload) shippers. The concepts show the full build-out configurations; however, the actual buildout of the LPND and rail operations may differ slightly, as it would be driven by future industry development and logistics requirements. A technical report titled *Logistics Park of North Dakota – Freight Rail Basis of Design* (HDR, 2022) describes the basis of design and operations and is included in **Appendix A**.

Manifest train refers to trains made of diverse cars of freight. Carload refers to a single car of any kind of freight.

4. Screening Criteria and Approach

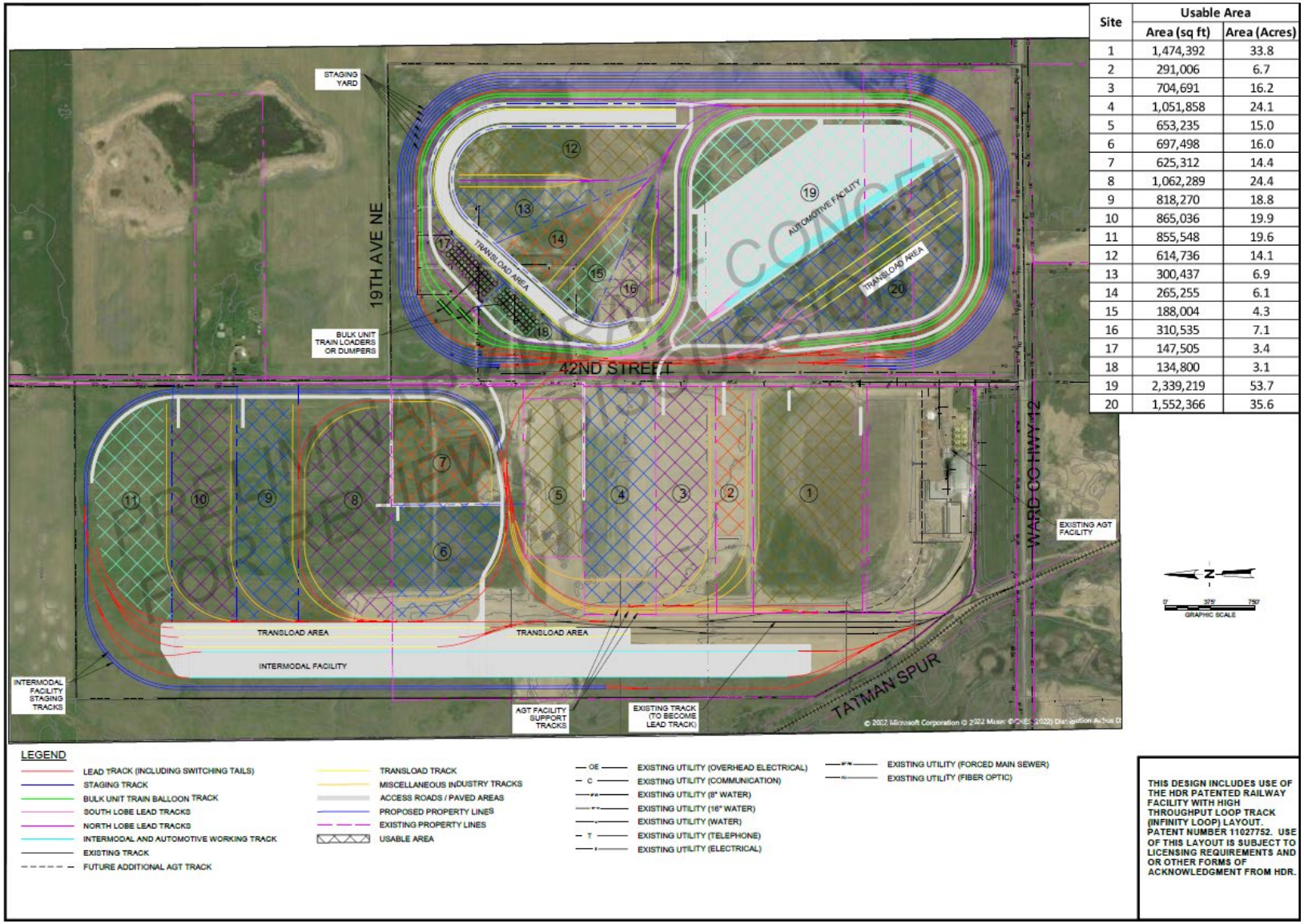
FRA, NDDOT, Minot, and Minot Chamber EDC evaluated the concepts using a two-step screening process. The first step was a “fatal flaw screening” focused on the operations of the site conceptual layout, determining if the concept would meet the intended functionality of the LPND. The second step was a “detailed screening” that focused on if the alternatives met the purpose and need criterion, discussed further in **Chapter 2, Section B**.

During the fatal flaw screening, the Concept 2 layout was not carried forward as a Build Alternative because the layout lacked operational benefits and would have substantially greater wetland impact (**Figure 3**). Therefore, modifications to the Concept 1 layout as shown **Figure 2** were made to rail infrastructure configuration on the site. The modifications minimized impacts to environmental resources, particularly wetlands.



Site	Usable Area	
	Area (sq ft)	Area (Acres)
1	1,476,777	33.9
2	291,006	6.7
3	704,691	16.2
4	1,043,970	24.0
5	638,742	14.7
6	1,443,996	33.1
7	721,196	16.6
8	844,036	19.4
9	667,698	15.3
10	833,670	19.1
11	855,032	19.6
12	991,381	22.8
13	1,023,955	23.5
14	964,721	22.1
15	489,541	11.2
16	442,434	10.2
17	706,163	16.2
18	651,749	15.0
19	666,583	15.3
20	963,782	22.1
21	908,109	20.8
22	474,454	10.9
23	318,354	7.3
24	702,111	16.1

Figure 2. Concept 1



Site	Usable Area	
	Area (sq ft)	Area (Acres)
1	1,474,392	33.8
2	291,006	6.7
3	704,691	16.2
4	1,051,858	24.1
5	653,235	15.0
6	697,498	16.0
7	625,312	14.4
8	1,062,289	24.4
9	818,270	18.8
10	865,036	19.9
11	855,548	19.6
12	614,736	14.1
13	300,437	6.9
14	265,255	6.1
15	188,004	4.3
16	310,535	7.1
17	147,505	3.4
18	134,800	3.1
19	2,339,219	53.7
20	1,552,366	35.6

Figure 3. Concept 2

A. Alternatives Carried Forward

The No Action Alternative and Build Alternative are described in the following sections.

1. No Action Alternative

The No Action Alternative would consist of maintaining the existing rail and truck transportation infrastructure within the Project Area, with no improvements besides minimal regularly scheduled repairs. The continued rail operation within the Project Area would include the Tatman Spur from the BNSF mainline and one rail spur to one existing business. Between October 2020 to June 2021, 28 full unit trains with over 6,000 containers shipped out of the LPND, equating to almost one train per week.

Without the expanded LPND, intermodal shippers would have to continue to truck freight to either Minneapolis (7.5 hours from Minot) or Winnipeg (5 hours from Minot) to load legumes onto railcars for international export via Port of Tacoma and Port of Seattle (NDTO, 2020). The North Dakota Intermodal Initiative 2017 estimates that approximately 340,000 tons of legumes could be diverted from this truck transport to rail transport. Therefore, under the No Action Alternative, the Project need to accommodate existing and future rail freight demand in North Dakota would not be met. The Gavins Yard is comprised of three additional rail lines with only one of these able to accommodate a full unit train, so trains must be broken into multiple sections, processed and repositioned before it can be moved outbound. This operational inefficiency would continue under the No Action Alternative, therefore does not meet the need of the Project for providing efficient transloading capabilities between truck and rail in North Dakota.

Although the No Action Alternative does not meet the purpose and need for the Project. This alternative is included in this EA as a baseline scenario to be compared to the Build Alternative.

2. Build Alternative

The Build Alternative is in Minot, located north of CR 12. The Build Alternative includes the rail infrastructure to create an intermodal facility on the LPND site. The rail infrastructure includes an infinity loop, transloading rail lines, manifest rail lines, intermodal rail lines, and the industry connection rail lines, shown on **Figure 4**. The FRA CRISI Program Grant was identified for the rail infrastructure on site to create areas for container storage, loading and transferring, grade crossing improvement, and related roadway infrastructure. The Build Alternative, in addition to the rail infrastructure noted, includes the associated infrastructure (maintenance building, lighting, security, etc.). Refer to **Operation** below for additional discussion.

It is anticipated that, following construction of the Build Alternative, the LPND would expand on the site to eventually include approximately 27 rail and non-rail served facilities with usages such as agricultural (production, food processing, and storage), distribution, manufacturing, and storage (petroleum and other products). Each industry would have the ability to connect to rail service. It is also anticipated that each rail-served lot would likely have a vertical building such as shop/warehouse, processing facilities, commodity storage, and equipment. Buildings would vary in size from 27,000 square feet to over 500,000 square feet and would in height from 30 feet to 120 feet. Underground utilities and infrastructure such as water, sanitary sewer, storm

sewer, electrical, gas, and communications to support these facilities would also be part of the expansion. Additionally, rail car processing equipment, equipment maintenance and storage shops are likely, as are other surface components such as roadways, vehicle and equipment parking, storage lots for products, and rail. While the expansion of the LPND site is not part of the Build Alternative, it is reasonably foreseeable to occur because of the construction of the Build Alternative. Therefore, this EA considers the potential impacts of this future growth as indirect impacts.

Table 2 displays the projected operational capacity at the full build out of rail infrastructure at the LPND. The full build out rail car capacity needs are anticipated to be in this range, adding to the need for an intermodal facility in the region (HDR 2022).

Table 2. Summary of Projected Rail Traffic Types and Operational Capacity of the Full Build Out LPND

Rail Traffic Type	Commodity	Maximum Train Length Accommodation (feet)	Trains / Week[1]	Cars / Train[2]	Cars / Week
Dry Bulk Unit Train	Food, feed grains, fertilizer or other products carried in covered hoppers	8,000	10	128	1,280
Liquid Bulk Unit Train	Petroleum or chemicals	8,000	3	128	384
Ethanol / Biodiesel (Renewables) Facility	Ethanol, biodiesel, or something other than renewables. Examples might include cross dock facility, food processing, or distribution.	3,480	3	58	174
Intermodal	Any product that can be shipped in a container – exports expected to be primarily pulse grains and food products.	10,000	11	166	1,826
Transload	Dry bulk products, liquid bulk products, manufactured goods, and machinery.	9,000	3	75	225
Manifest (Carload)	Variable based on industry – currently, 19 industry spurs proposed.	Varies based on industry location, typically between 500-1,000 feet	12	60	720

[1] Actual future operation would be dictated by future rail shipping tenant requirements and what operations the serving railroad is able to provide. This summary assumes that all operations are performed by BNSF except those operations that take place on trackage dedicated and owned by a single industry / shipper or a third party. It is likely that the intermodal and unit train traffic would continue to be operated by BNSF. The most likely portion of the operations that would be performed by another party would be the manifest and transload traffic.
[2] Assumed car length is 60 feet.

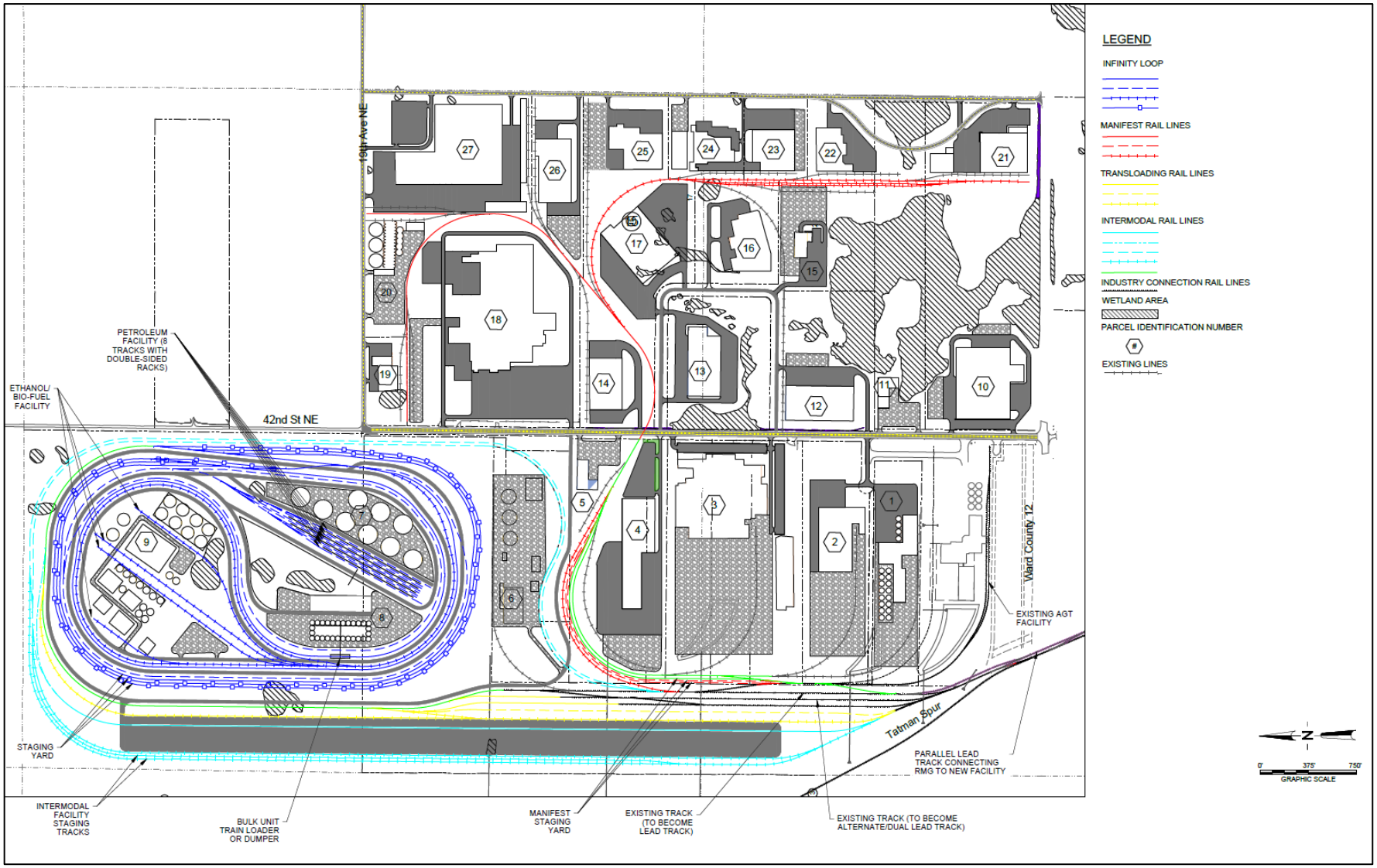


Figure 4. Rail Infrastructure Identified Under the Build Alternative

OPERATION

All inbound and outbound rail traffic that moves between the LPND and the BNSF main line corridor would use the existing Tatman Spur and the existing rail infrastructure located in the southwest portion of the LPND as **Figure 4** illustrates. This connection meets the site identification criteria noted of having the presence a Class I rail available.

As noted in the purpose and need, there are currently 340,000 tons of legumes that would be diverted from truck transport to rail transport if an intermodal facility existed in central North Dakota. The Build Alternative would provide this facility to the region to transport freight. In addition, the future industrial lot expansion of the LPND would contribute to the rail traffic. **Table 2** provides a high-level summary of the types of rail traffic and overall operational capacity upon full build out of the LPND. It includes dedicated facilities for liquid and dry bulk, renewables, intermodal, and transload operations with rail capacities able to accommodate unit trains. A patented infinity loop track layout would service the proposed dry bulk, liquid bulk, and renewable facilities. The Build Alternative provides numerous auxiliary tracks to support manifest operations as well miscellaneous rail infrastructure to support general rail operations.

Operations would be dictated by future rail shipping tenant requirements and what the serving railroad is able to provide. The general footprint would remain as is, regardless of the tenants. Additional details on facility operation can be found in **Appendix A**.

SITE ENTRANCE, LIGHTING AND SECURITY

Truck traffic and vehicles would enter the site using 55th Street NE to 19th Avenue NE, with 19th Avenue NE being converted to a two-lane westbound only one-way roadway. 100% of the exiting trips would be onto CR 12 via two separate egress points. The assumed traffic circulation and trip distribution into and out of the LPND are outlined in **Figure 5**. A traffic impact study that provides additional technical information regarding traffic circulation through the site and the surrounding transportation network.

Lighting would be installed throughout the site to illuminate track areas, roadways, work areas, exterior storage areas, parking lots, exterior building doors and driveways from dusk to dawn. Most light sources would be LED. Security cameras may be mounted on light structures along the perimeter of LPND and along the interior of the intermodal, transload, and warehouse areas.

A chain-link security fence would be installed around the perimeter of LPND. It would be approximately eight feet high.

Figure 5. Site Traffic Circulation

INTERMODAL WORKING TRACKS

Two intermodal rail lines, each capable of holding a minimum of an 8,000-foot-long intermodal train and two 5,000-foot-long strip tracks would be located immediately west of infinity loop. A midpoint crossover would allow for an intermodal train on either of the two staging rails to be separated into two halves, and then each half moved over to the strip rails and completely in the clear of any non-intermodal train operations. Similarly, intermodal trains could be re-assembled without blocking other rail movements. Wide track spacing between the two strip rails would allow for the circulating roadway, operations, and maintenance, and two rows of angled trailer parking or substantial container storage.

MAINTENANCE FACILITY

A maintenance facility would be included in the final build of the site. The maintenance facility would include vehicle/equipment maintenance bays, a maintenance manager office, storage space, and worker restrooms, showers, and lockers. A curbed fueling area for only maintenance vehicles and on-site equipment would be located adjacent to the maintenance facility. The

curbed fueling area could also be used to temporarily store a leaking container until it is transported offsite.

CIRCULATION ROADS AND TRUCK QUEUING AREAS

Circulation roads would be constructed for trucks to maneuver and queue during loading and unloading operations. Separate circulation roads would be provided for trucks to access the intermodal and transload tracks and the warehouse. Roads would be constructed to accommodate the initial build and added as the facility expands. These roads would ultimately connect to CR 12, which provides access to US 83, US 52 and US 2.

CONSTRUCTION

Initial construction activities are anticipated to start by 2025 and continue for two years. Following initial construction, expansion would occur over time as service demand increases. Work would begin with horizontal construction, including grading, floodplain and stormwater, site drainage and structures, track, utilities and lighting, roadways and surfacing, and public roadway improvements. Typical heavy civil construction equipment would include, but not be limited to, front-end loaders, excavators, side dump trucks, cranes, asphalt pavers, concrete trucks, and small skid loaders.

B. Comparison of Alternatives Carried Forward

Target criteria were developed for each of the Project needs and then were used as the basis for comparing the alternatives to select the preferred alternative. **Table 3** provides a summary of the Project needs that were identified in Chapter 1, the target criteria needed to address these needs, and whether each alternative meets the target criteria. A narrative describes the comparison process following the summary presented in **Table 3**.

Table 3. Summary of Alternatives Screening Comparison Analysis.

Needs & Goals	Target Criteria	Does the No Action Alternative Meet the Transportation Need?	Does the Build Alternative Meet the Transportation Need?
Accommodate existing and future intermodal freight demand in North Dakota (Need)	Accommodate 76,000+ containers annually for regional demand for intermodal. Accommodate intermodal within LPND for industries. (Container demand as presented in North Dakota Intermodal Initiative 2017).	No[1]	Yes
Provide operationally efficient transloading capabilities between truck and rail in North Dakota (Need)	Minimum rail line length of 6,500 feet to allow for maneuvering and storing full unit trains.	No	Yes
Provide a competitively priced intermodal container rail service facility that connects North Dakota to international markets and key regional centers (Need)	Reduction in drayage costs in comparison to nearest regional intermodal container rail facilities (St. Paul, Minnesota or Regina, Saskatchewan).	No	Yes
Enhance Safety (Goal)	Diverting freight volumes from truck to rail. Reduce vehicle-trail conflicts that arise when trains temporary block of CR 12.	No	Yes
Reduce Pavement Maintenance Cost (Goal)	Reduction in truck vehicle miles travel (VMT).	No	Yes

[1]**Would partially meet** with the current rail system accommodating transport of up to 34,320 containers, not to the goal of 76,000+.

1. Accommodate Existing and Future Freight Demand

Intermodal freight demand is growing throughout the United States and region. Chapter 1 presented the estimated current divertible volume of legumes, commodity grains, and dried distiller grain from truck to rail transport which is 76,000 containers per year for the region.

The existing rail line operational capacity at LPND is up to three trains per week. Assuming 110 cars / train and two 40-foot containers, the existing facility has capacity to ship just 34,320 containers annually if operating at 100% efficiency, although reaching 100% efficiency is an unlikely scenario. The No Action Alternative would partially meet the future intermodal freight demand, but not the entire transportation need of a minimum of 76,000 containers.

The Build Alternative with all the rail lines on the LPND site built would have capacity to load and unload 1,826 intermodal cars per week. Assuming two 40-foot containers per car, the Build Alternative has capacity for 189,904 containers per year (HDR 2022). Thus, the Build Alternative would be able to accommodate the current divertible volumes of intermodal demand and have capacity for growth as dictated by supply and demand.

2. Operationally Efficient Transloading Capabilities

Transloading operations would likely be managed as part of manifest operations until freight volume justifies a separate operation. Operation efficiency of transloading is maximized when full unit trains can enter and leave concurrently with little maneuvering.

Under the No Action Alternative, only one unit train can be managed at a time, either landing or departing from the one rail spur to the LPND. Further, the unit train must be broken down, moved to processing tracks for unloading/reloading, reassembled, and must depart from the site before the next train can arrive, thus not addressing the need for operationally efficient transloading. Thus, the No Action Alternative does not address efficient transloading operations and does not meet this need.

The Build Alternative would provide operationally efficient transloading capacity by allowing full unit trains to enter and exit the site concurrently and would allow for a drop, hook, and pull scenario where a locomotive could deliver a unit train to the site for unloading and/or loading and leave with a loaded unit train with little maneuvering. In total, the transloading tracks would be able to accommodate 9,000 feet of train and thus exceeds the target criteria for providing efficient transloading capacities. **Appendix A** includes a rail phasing / track numbering exhibit along with a descriptive scenario on the train logistics of the transloading operations that can be used for detailed conceptualization.

3. Intermodal Container Rail Service Facility that Connects North Dakota to International Markets and Key Regional Centers

Cost competitiveness is closely tied with operational efficiency. A straightforward way to express and distinguish cost competitiveness between alternatives is by comparing drayage costs. Drayage costs are in essence the costs associated with handling freight between trucks and train or vice versa and is commonly explained as “the first mile” of transporting goods. **Chapter 1** discloses the drayage costs per ton of freight from various places in North Dakota transported through the nearest rail logistics parks of St. Paul or Regina.

The No Action Alternative would result in North Dakota freight (specifically containerized freight) to be drawn toward other rail logistics parks, the nearest ones being St. Paul or Regina. The No Action Alternative would not reduce drayage costs for the excess divertible freight demand that LPND could not support, and which would continue to be trucked to either St. Paul or Regina.

The Build Alternative would result in a reduction in drayage costs in the region and for most of North Dakota as shown in **Table 4**. Thus, the Build Alternative would address the project need for providing competitively priced intermodal container rail service facility that connects North Dakota to international markets and key regional centers.

Table 4. Reduction in drayage costs per ton of freight moving through Minot vs St Paul or Regina.

	Reduction per Metric Ton (USD)
Dickinson	73
Bismarck	65
Jamestown	38
Grand Forks	28
Devils Lake	59
Williston	10

C. Identification of Preferred Alternative

In identifying the Preferred Alternative, FRA, NDDOT, Minot, and Minot Chamber EDC compared the Build Alternative and No Build Alternative for the ability of each alternative to meet the Project's purpose and needs. The following summarizes the Build Alternative's ability to meet the purpose and need for the Project:

- The Build Alternative would provide an intermodal facility within North Dakota that can transport at a minimum of 76,000 containers annually. This number of containers allows the current truck transport of goods within North Dakota to be transitioned to rail transport, allowing the site to assist in meeting the existing and future rail freight demand in North Dakota.
- The Build Alternative would improve the efficiency of the rail system on site and in the area. Currently, the existing rail spur within the LPND is limited in the number of trains that can be loaded and the maneuvering of full trains. The Build Alternative incorporates an infinity loop track that allows for additional and more efficient transloading capabilities between truck and rail.
- The Build Alternative would create efficiencies and transition transport from truck to rail capabilities, reducing the drayage costs of the transport of goods from North Dakota markets.
- The Build Alternative could result in diverting freight volumes from truck to rail and thus would reduce pavement maintenance costs.

For the reasons outlined above, the Build Alternative is the Preferred Alternative.

VI. Affected Environment and Environmental Consequences

This section describes the existing resources within the Project Area and analyzes the potential indirect and direct impacts to these resources.

The Build Alternative includes the rail lines within the LPND as shown on **Figure 4**, as well as the infinity loop maintenance building, roadways, and other infrastructure (security fence, lighting etc.). The industrial park expansion would be the development of the lots and would be completed by private owners, this is not proposed under the Build Alternative. The expansion of the industrial park is considered within this analysis as induced growth and development of these areas would occur under private ownership.

A. Air Quality

Projects assessed under NEPA evaluate initial air pollution emissions estimates, determine the appropriate level of air quality analysis, assess whether air pollution impacts are likely, and describe the degree and severity of those impacts to air quality.

1. Affected Environment

The United States Environmental Protection Agency (USEPA) established primary and secondary National Ambient Air Quality Standards (NAAQS) under the Clean Air Act (CAA), 42 U.S.C. § 7401 et seq (Summary of the Clean Air Act, n.d.) The CAA also set emission limits for certain air pollutants from specific sources, set new source performance standards based on best demonstrated technologies, and established national emission standards for hazardous air pollutants.

The CAA specifies two sets of standards, primary and secondary, for each regulated air pollutant. Primary standards define levels of air quality necessary to protect public health, including the health of sensitive populations such as people with asthma, children, and the elderly. Secondary standards define levels of air quality necessary to protect against decreased visibility and damage to animals, crops, vegetation, and buildings. USEPA has established air quality standards for six pollutants (known as criteria pollutants), including carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), sulfur oxides (SO_x) (which are commonly measured as sulfur dioxide [SO_2]), lead, particulate matter equal to or less than 10 micrometers in aerodynamic diameter (PM_{10}) and particulate matter equal to or less than 2.5 micrometers in aerodynamic diameter ($PM_{2.5}$). Although O_3 is considered a criteria pollutant and is measurable in the atmosphere, it is often not considered as a pollutant when reporting emissions from specific sources, because O_3 is not typically emitted directly from most emissions sources. Ozone is formed in the atmosphere from its precursors—nitrogen oxides (NOx) and volatile organic compounds (VOCs)—that are directly emitted from various sources. Thus, emissions of NO_x and VOCs are commonly reported instead of O_3.

The State of North Dakota has adopted the NAAQS and promulgated additional State Ambient Air Quality Standards (SAAQS) for criteria pollutants (NDCC Chapter 33-15-02-04). In addition,

the State of North Dakota has set ambient air quality standards for hydrogen sulfide (H_2S). There are no NAAQS or SAAQS for ammonia (NH_3); however, because NH_3 concentrations are an important factor in the secondary formation of fine particulate matter through reactions with NO_X and SO_2, the North Dakota Department of Health (NDDH) maintains a select number of NH_3 monitors throughout North Dakota. The NAAQS and SAAQS for federally listed criteria pollutants are summarized in **Table** 5.

Table 5. National and State Ambient Air Quality Standards

Pollutant/Averaging Time	Primary/Secondary	Level	Standard
Carbon Monoxide			
8 hours	Primary	9 ppm	Not to be exceeded more than once per year
1 hour	Primary	35 ppm	Not to be exceeded more than once per year
Nitrogen Dioxide			
1 hour	Primary	100 ppb	98th percentile of 1-hour daily maximum concentrations, averaged over 3 years
1 year	Primary and Secondary	53 ppb	Annual Mean
Ozone			
8 hours	Primary and Secondary	0.070 ppm	Annual fourth highest maximum 8-hour concentration, averaged over 3 years
Lead			
Rolling 3-mo average	Primary and Secondary	0.15 µg/m^3	Not to be exceeded
Particle Matter$_{10}$			
24 hours	Primary and Secondary	150 µg/m^3	Not to be exceeded more than once per year on average over 3 years
Particle Matter$_{2.5}$			
24 hours	Primary and Secondary	35 µg/m^3	98th Percentile, averaged over 3 years
1 year	Primary	12.0 µg/m^3	Annual mean, averaged over 3 years
1 year	Secondary	15.0 µg/m^3	Annual mean, averaged over 3 years
Sulfur Dioxide			
1 hour	Primary	75 ppb	99th Percentile of 1-hr daily maximum concentrations, averaged over 3 years
3 hours	Secondary	0.5 ppm	Not to be exceeded more than once per year

The USEPA classifies the air quality based on ambient concentrations of criteria pollutants in areas designated as attainment, non-attainment, or unclassified based on the air quality standards for each of the criteria pollutants. “Attainment” indicates that standards for one or more of the six pollutants are met in an area. USEPA considers an area to be an attainment area for only those criteria pollutants for which the NAAQS are met. “Nonattainment” indicates that standards for one or more of the six pollutants are not met in an area. “Unclassified” indicates that air quality in the area cannot be classified and the area is treated as attainment. As of October 31, 2023, the USEPA has determined the State of North Dakota is in attainment for all NAAQS (USEPA, USEPA Green Book, 2023). The NDDH has also determined the State of North Dakota is in attainment for all SAAQS (NDDH, 2023).

The NDDH operates and maintains a network of Ambient Air Quality Monitoring (AAQM) sites throughout the state. The nearest AAQM site to the Build Alternative is the Ryder Site. This site

is located at the eastern edge of the major oil and gas production area of North Dakota. Located in Ward County, it is approximately 20 miles southwest of Minot. This site is intended to provide data on regional pollutant transport and population impacts. The AAQM site monitors NO_2, SO_2, O_3, PM_{10}, and $PM_{2.5}$. Monitoring data indicate that federal and state ambient air quality standards were met at the AAQM site in 2022. The Project Area is in attainment of air quality standards (NDDH, 2023).

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. Trucks would continue to primarily transport freight in and around Minot. As future demand for commodities increases, it is anticipated emissions would also increase with a need for more trucks and truck traffic.

BUILD ALTERNATIVE

During operation of the Build Alternative, increased rail traffic using the transload facility would increase rail emissions. However, truck traffic would be reduced by approximately 30 to 40 trucks a week, assuming one rail car can carry 3 to 4 truckloads and 10 to 11 rail cars leave the transloading facility each week. The U.S. prepares an annual inventory of greenhouse gas (GHG) emissions under the United Nations Framework Convention on Climate Change. According to the most current inventory, the transportation sector is one of the leading contributors to GHG emissions, contributing 29% of the total U.S. GHG emissions, with approximately 24% of GHG emissions resulting from truck traffic and 2% from rail transportation (USEPA, Fast Facts: Transportation Greenhouse Gas Emissions, 2023). The FRA has announced a commitment to reach net-zero GHG emission in the rail industry and rail transportation by 2050 (FRA, 2022). Freight rail is up to 75% more efficient than truck transportation (FRA, 2022), and by reducing highway freight traffic with more efficient freight rail transportation, GHG emissions can be greatly reduced.

Under the Build Alternative, construction would generate minimal amounts of fugitive dust and gaseous emissions from the combustion of fuel by construction equipment and vehicles. Fugitive dust emissions from construction activities would be greatest during initial site-preparation activities and would vary from day to day, depending on the construction phase, level of activity, and prevailing weather conditions. All emissions from construction activities would be temporary in nature. Construction activities are not anticipated to cause or contribute to a violation of any NAAQS or SAAQS or expose sensitive receptors to substantially increased pollutant concentrations.

3. Minimization Measures

During construction, the following air quality Best Management Practices (BMPs) will be implemented by Minot and/or Minot Chamber EDC:

- Use appropriate dust suppression methods during on-site construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.

- Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces.
- Shut off equipment when not in use.
- Cover haul trucks with tarps.
- Stabilize previously disturbed areas with vegetation or mulching if such area will be inactive for several weeks or more.
- Visually monitor all construction activities regularly and particularly during extended periods of dry weather and implement dust control measures when appropriate.

B. Water Quality

Water quality is considered under Section 401 of the Clean Water Act, regulated in North Dakota by the North Dakota Environmental Quality. Water quality impacts under NEPA include degradation of surface waters through stormwater runoff and the depletion or pollution of groundwater aquifers. A qualitative assessment of water quality was conducted to identify established water quality for identified surface waters and understand how the alternatives could influence water quality.

1. Affected Environment

The Project lies within HUC-12 Watershed #0900081206, Livingston Creek-Souris River Watershed (**Figure 6**). The Livingston Creek is located on the western boundary of the Project Area. The confluence of Livingston Creek is north of Minot and the creek extends through Minot, continues south of the Project Area then flows into Souris River. Souris River is approximately 435 miles, located within North Dakota and Canada (USGS 2023). Livingston Creek and the segment of Souris River downstream of the Project Area are not listed for impairments (North Dakota Environmental Quality 2023).

The water supply within the Project Area is delivered by Minot and comes from two sources, Sundre and Minot Aquifers (Minot, 2021). Both aquifers and the Northwest Area Water Supply Project provides water supply to Minot. The Northwest Area Water Supply transports water from an intake in Lake Audubon to several communities in the area, including Minot (NAWS, 2023). The Minot Water Treatment Plant (WTP) can treat up to 18 million gallons per day (MGD) and supplies water to Minot and North Prairie Regional Water District. The water supply from the well field that feeds into the Minot WTP has a limited supply of water and a new well within the Sundre Aquifer was installed in 2022 which provided a firm 9 MGD (Schramm, January 2022).

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. No further changes to the site would occur. The site would remain undeveloped, and runoff would remain the same conditions. Therefore, the No Action Alternative would not impact the Livingston Creek and Souris River Watersheds and would not have a major impact on surface water quality in the area.

BUILD ALTERNATIVE

The Build Alternative would have minimal direct and indirect effects to the Livingston Creek Watershed. While the Build Alternative would have a direct effect by converting grassland to

railroad facilities, this would create a smaller area with less vegetation cover and more runoff potential. This area is minimal and is adjacent to an existing BNSF mainline and spur. The rail infrastructure would have adjacent areas to the rail that return to grassland providing filtration for runoff. The industrial park expansion would have additional stormwater detention incorporated into the design to offset the additional runoff.

Federal law requires stormwater permits for construction activity that disturbs one or more acres or that is part of a larger project that disturbs one or more acres in total, certain types of industrial or commercial activities, and many city storm sewer systems in larger communities or those near larger communities. Because the Build Alternative would disrupt one or more acres, LPND or the construction contractor would obtain a required authorization to discharge under the North Dakota Pollutant Discharge Elimination System, in compliance with Chapter 33.1-16-01 of the North Dakota Department of Environmental Quality rules as promulgated under Chapter 61-28 of North Dakota Century Code (ND DEQ 2020).

As the industrial park area is expanded, this same requirement would apply, and each private industry would be required to obtain the permit. Best management practices including a stormwater pollution prevention plan (SWPPP) would be required as part of the construction authorization. Therefore, the Build Alternative would not have significant temporary or permanent impact on water quality.

3. Minimization Measures

The construction of the Build Alternative will incorporate BMPs, such as developing a SWPPP and permanently seeding undeveloped areas, to minimize effects to water quality.

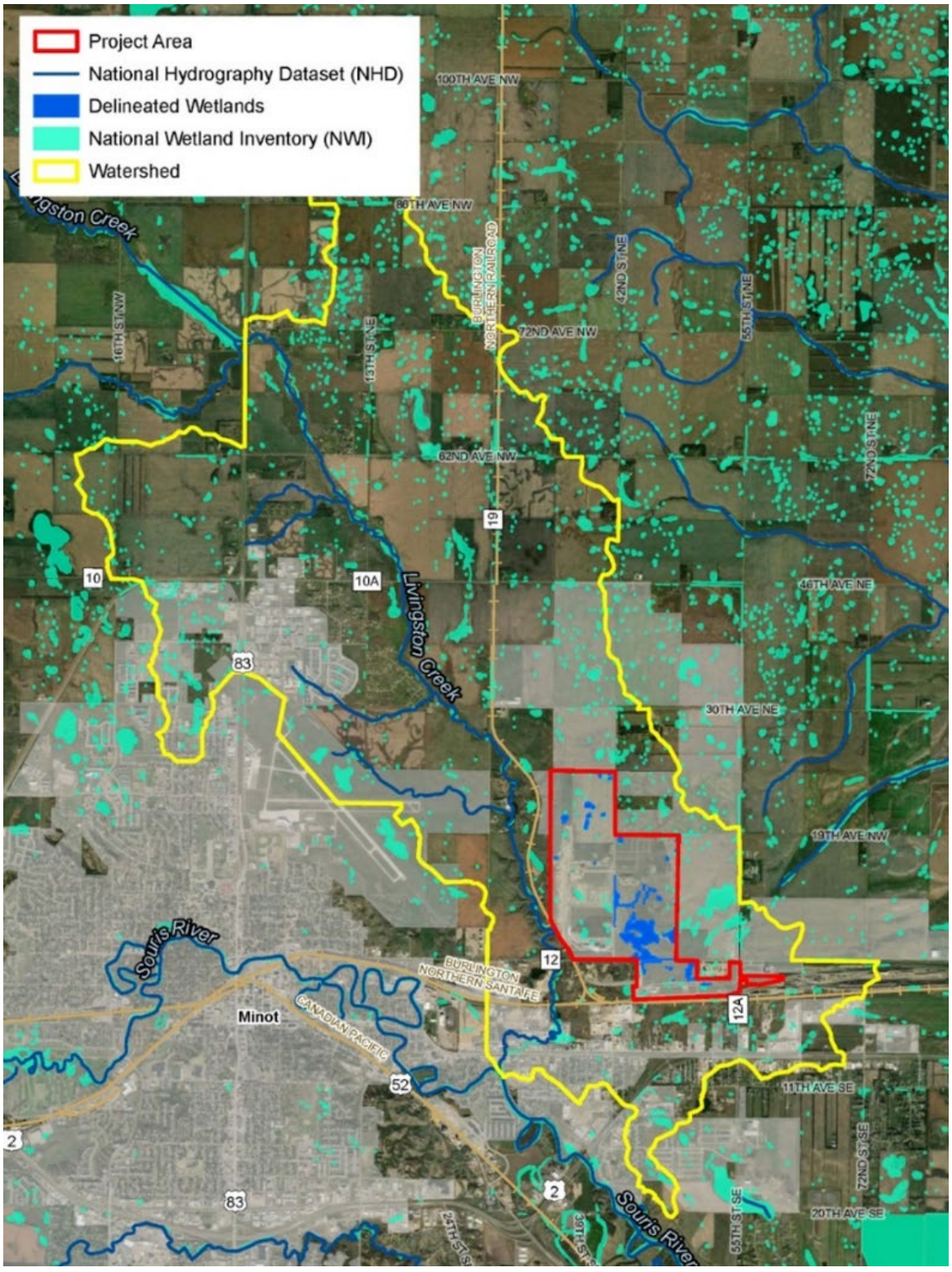


Figure 6. Livingston Creek Watershed and Delineated Wetlands

C. Wetlands

Wetlands are defined by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” Wetlands generally include swamps, marshes, bogs, and similar areas.”

In addition to the Clean Water Act, wetlands are protected under the Executive Order (EO) 11990. EO 11990 requires Federal agencies to minimize the loss or destruction of natural wetlands and encourages preservation and enhancement of their natural and beneficial values.

1. Affected Environment

Waters of the U.S. (WOTUS), including wetlands, are regulated by USACE. Specific permitting requirements may be necessary if WOTUS are impacted. A wetland delineation is required to assess if WOTUS are present and, if so, to identify their boundaries. Ackerman-Estvold completed a wetland delineation in October and November 2021, refer to **Appendix B**. Thirty-six wetlands and eleven other waters or drainages were delineated within the Project Area (**Table 6**; **Figure 8**). The wetlands are mainly classified as palustrine, emergent, seasonally, or temporarily flooded wetlands. A few have been previously ditched or excavated. The other waters include excavated stormwater ditches, excavated gravel pit, drainage ditches and drainage swale.

A jurisdictional determination was completed May 13, 2022. The USACE determined that the Wetlands 1, 2a-g, 10a-b, 11, 12, and Other Waters (OW) 1-2 are jurisdictional waters of the United States under Section 404 of the Clean Water Act. The aquatic resources identified as Wetlands 2, 5-9, and 13-36 are intrastate isolated waters with no apparent interstate or foreign commerce connection. In the USACE jurisdictional determination, the OWs 3-11 were noted as created in uplands indicating these areas were not natural features (**Appendix B**).

Natural wetlands are protected under EO 11990, so under that qualification Wetlands 1, 2a-g, 4-7, 10a-b, 11-13, 14a-c, 15a-g, and 16-36. OW 1-3 are natural aquatic resources. The remainder of the wetlands and OWs are unnatural aquatic resources that would not be protected under Section 404 or EO 11990.

The OWs within the Project Area flow into the Livingston Creek, which flows into Souris River (also referred to as Mouse River). The ND Department of Water Resources (ND DWR) letter response for the Project on December 13, 2023, notes that the Souris River is considered navigable, and therefore sovereign to the state of North Dakota.

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the rail infrastructure would not be constructed. Under the No Action Alternative, the LPND would neither construct nor operate the rail infrastructure. Under the No Action Alternative, the site would remain the same.

BUILD ALTERNATIVE

Based on current design, approximately 4.71 acres of wetland and 15.00 acres of OW are located within the footprint of the Build Alternative. The Build Alternative avoids impacts to wetlands or streams that are jurisdictional under Section 404 of the CWA. Refer to **Table 6, Table 7, and Figure 7.** Based on the current jurisdictional determination, all jurisdictional wetlands and OWs can be avoided during final design. Currently, a Section 404 permit and mitigation would not be required. During final design of the rail lines, Minot Chamber EDC would coordinate with USACE to revisit the jurisdictional determination of the wetlands and streams and if a Section 404 permit and mitigation are required.

EO 11990 requires federal agencies to minimize the loss or degradation of natural wetland areas and to avoid direct or indirect impacts to wetlands whenever there is a practicable alternative. The Build Alternative falls under EO 11990 requirements. As **Section V. Alternatives** of this EA discusses, wetlands were avoided to the extent possible to minimize direct impacts and avoid degradation to the wetland systems on site to the extent possible. The Build Alternative has been determined as the only practicable alternative under EO 11990 for these reasons.

As described above, future expansion of the industrial area within the LPND is expected. Approximately 41.97 acres of wetland and 15.00 acres of OW are located within the expanded industrial area. Although the precise impacts to wetlands resulting from the future development of the industrial area would be identified in final design, it is expected that not all wetlands and OW would be impacted. In addition, the entities that develop property within the industrial area would be required to comply with Section 404 of the Clean Water Act regulated by the USACE for any discharge of dredged or fill material into jurisdictional wetlands, including requirements to avoid, minimize, or mitigate impacts. Due to the potential crossing of OWs that connect to the Souris River, a Sovereign Lands Permit through the ND DWR may need to be completed for the expansion of the industrial park. Any new structures would also need to comply with the North Dakota Stream Crossing Standards, noted under the Regulations and Appropriations information on the ND DWR website. However, the potential remains for the Project to result in an indirect effect to wetlands due to later expansion of the industrial areas.

Table 6. Delineated Wetlands, Total Area within the Project Area, Jurisdictional under Section 404, and Considered under EO 11990

Field Delineated Wetland Number	Total Area within Project Area (Acreage)	Jurisdictional Under Section 404	Considered Under EO 11990	Build Alternative Permanent Impacts
Wetland 1	0.01	N/A	0.01	0.00
Wetlands 2a, 2b, 2c, 2d, 2e, 2f, and 2g	0.22	N/A	0.22	0.00
Wetland 3	0.30	N/A	0.00	0.00
Wetland 4	3.79	N/A	3.79	0.00
Wetland 5	0.05	N/A	0.05	0.00
Wetland 6	0.25	N/A	0.25	0.00
Wetland 7	0.04	N/A	0.04	0.00
Wetland 8	0.55	N/A	0.00	0.00
Wetland 9	0.44	N/A	0.00	0.00

Field Delineated Wetland Number	Total Area within Project Area (Acreage)	Jurisdictional Under Section 404	Considered Under EO 11990	Build Alternative Permanent Impacts
Wetlands 10a and 10b	30.53	N/A	30.53	0.00
Wetland 11	0.01	N/A	0.01	0.00
Wetland 12	4.18	N/A	4.18	0.00
Wetland 13	0.60	N/A	0.60	0.00
Wetland 14a, 14b, and 14c	3.04	N/A	3.04	0.00
Wetland 15a, 15b, 15c, 15d, 15e, 15f, and 15g	0.45	0.45	0.45	0.00
Wetland 16	0.17	0.17	0.17	0.00
Wetland 17	0.52	0.52	0.52	0.00
Wetland 18	0.20	0.20	0.20	0.00
Wetland 19	0.17	0.17	0.17	0.00
Wetland 20	0.50	0.50	0.50	0.00
Wetland 21	0.11	0.11	0.11	0.00
Wetland 22	0.21	0.21	0.21	0.00
Wetland 23	0.07	0.07	0.07	0.00
Wetland 24	0.11	0.11	0.11	0.00
Wetland 25	0.57	0.57	0.57	0.00
Wetland 26	0.03	0.03	0.03	0.00
Wetland 27	0.18	0.18	0.18	0.18
Wetland 28	0.04	0.04	0.04	0.00
Wetland 29	0.84	0.84	0.84	0.84
Wetland 30	1.21	1.21	1.21	1.21
Wetland 31	0.46	0.46	0.46	0.00
Wetland 32	0.29	0.29	0.29	0.29
Wetland 33	1.46	1.46	1.46	1.46
Wetland 34	0.36	0.36	0.36	0.36
Wetland 35	0.17	0.17	0.17	0.17
Wetland 36	0.20	0.20	0.20	0.20
Total	**52.33**	**8.32**	**51.04**	**4.71**

Table 7. Delineated OWs and Areas

OW Number	Total Area within Project Area (Acreage)	Total Length within Project Area (Feet)	Jurisdictional Under Section 404 (Acreage)	Considered Under EO 11990 (Acreage)	Build Alternative Permanent Impacts
OW1	0.09	1,375	0.09	0.09	0.00
OW2	0.07	433	0.07	0.07	0.00
OWs 3a and 3b	0.12	267	0.12	0.12	0.00
OW4	12.20	NA	N/A	N/A	12.20
OW5	1.18	NA	N/A	N/A	1.18
OW6	1.58	NA	N/A	N/A	1.58
OW7	0.04	591	N/A	N/A	0.04
OW8	0.03	386	N/A	N/A	0.00
OW9	0.02	337	N/A	N/A	0.00
OW10	0.02	260	N/A	N/A	0.00
OW11	0.05	720	N/A	N/A	0.00
Total	**15.4**	**4,369**	**0.28**	**0.28**	**15.00**

3. Minimization Measures

During final design of the Build Alternative, coordination would occur with USACE to review the jurisdictional determination completed. If no jurisdictional wetlands or OWs are identified within the footprint of the infinity loop and/or rail lines, then a Section 404 permit is not required. If jurisdictional wetlands or OWs are identified, a Section 404 permit application will be completed by the Minot Chamber EDC. Mitigation needs will be identified during that process. For EO 11990, this EA process and coordination shows the impacts to wetlands for the Build Alternative are unavoidable.

As each site of industrial area expansion is carried forward for development, the Minot Chamber EDC will require the developer or business that is developing the site to review of the site for jurisdictional wetlands and OWs through coordination with the USACE. Written documentation that a Section 404 permit is not required or a Section 404 permit with required mitigation (if needed) has been completed would be provided to Minot Chamber EDC before construction of the site. An Authorization to Construct a Project Within Sovereign Lands of North Dakota will be needed for any impacts to the natural streams on the site, which are identified as OWs 1-3. As the industrial area is expanded, the Minot EDC will require the individual businesses to review the site for the need for this authorization.

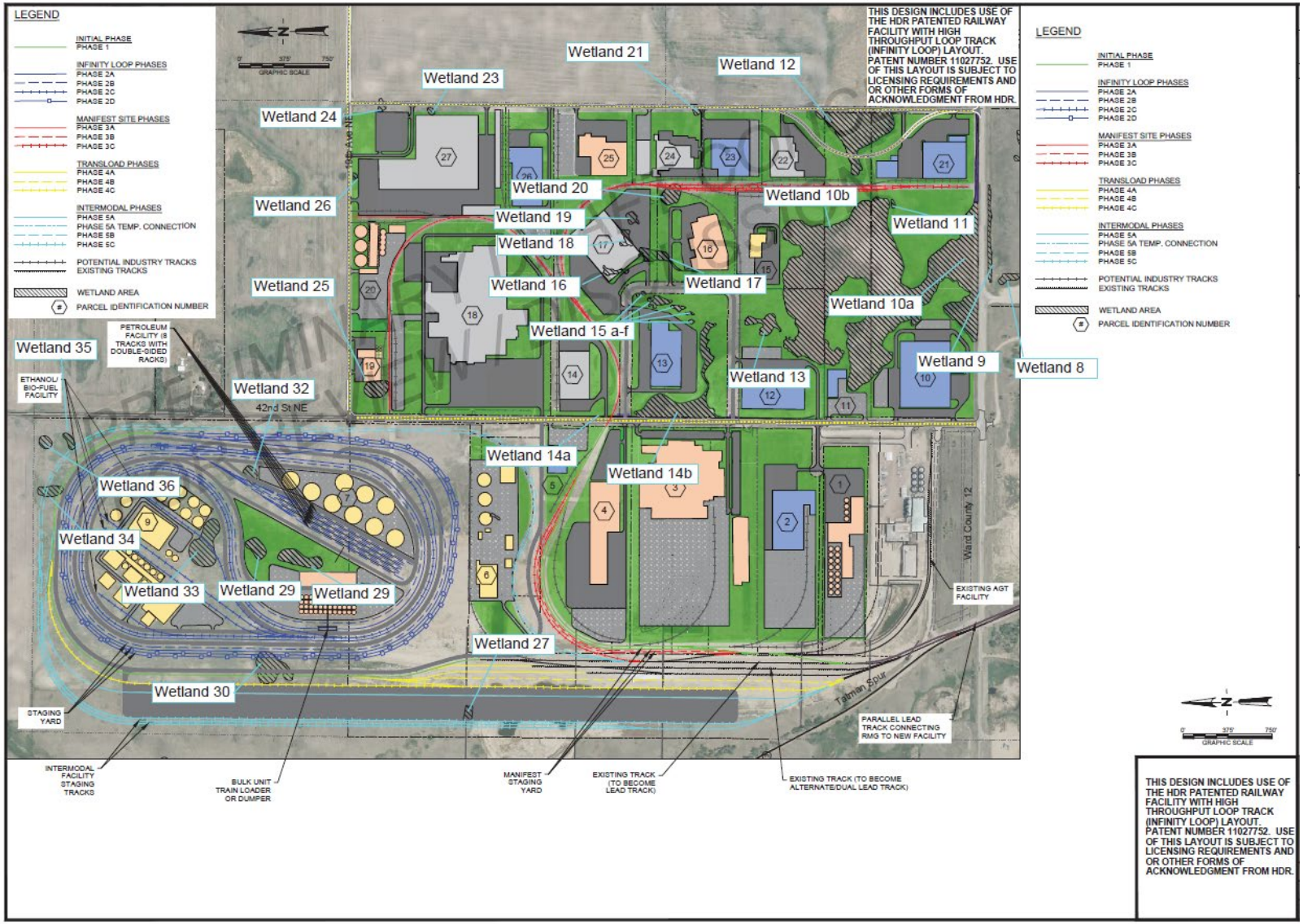


Figure 7. Delineated Wetlands with Project Area

D. Floodplain

Floodplains are considered under Executive Order 11988, “Floodplain Management”, Executive Order 13690, “Implementing a Federal Flood Risk Management Standard”, and Executive Order 14030, “Climate-Related Financial Risk” which directs federal agencies to consider the impacts of their actions on floodplains.

1. Affected Environment

The Project Area crosses three FEMA Flood Insurance Rate Map (FIRM) panels 38101CO801D, 30101CO615D, and 38101CO802D. The Livingston Creek has a designated Zone A floodplain, that is west of the BNSF railroad. Northeast of the property, a few drainages and depressions are designated as Zone A (**Figure 8**).

2. Environmental Consequences

The North Dakota Department of Water Resources responded on December 13, 2022, noting mapped floodplain under the FEMA National Flood Insurance Program (NFIP). North Dakota has no formal NFIP permitting authority, as all NFIP permitting decisions are considered by impacted NFIP participating communities, which is the community with zoning authority for the area in question. Permitting is handled by the community with the zoning authority through a designated local floodplain administrator. For this Project, the floodplain administrator is the City of Minot Engineering Department. No designated floodplains are present within the Project Area; therefore, the Build Alternative would not affect any designated floodplain. No further coordination is needed with the floodplain coordinator.

3. Minimization Measures

No minimization measures are required.

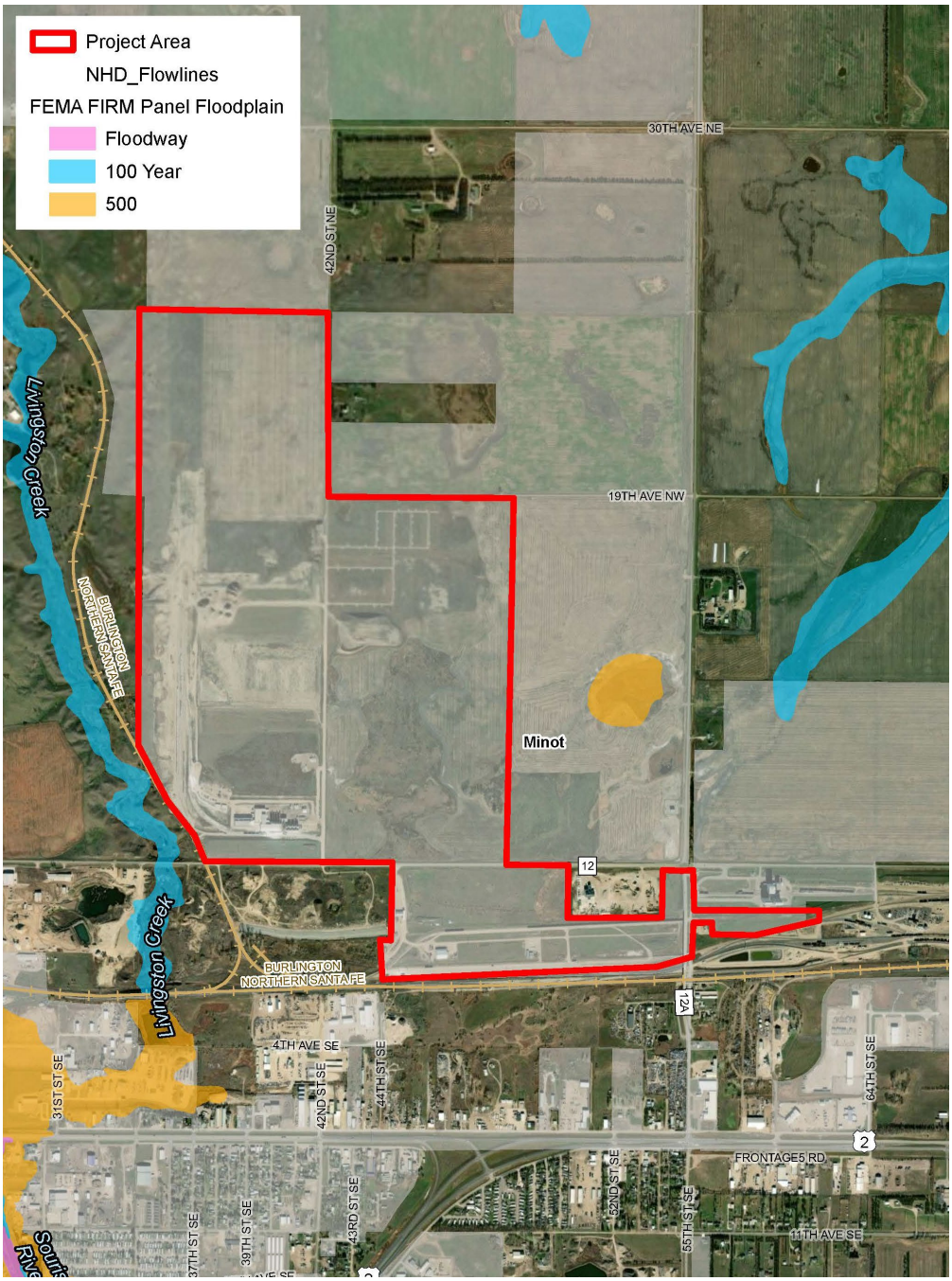


Figure 8. FEMA Designated Floodplains in Area

E. Noise and Vibration

FRA noise and vibration analysis relies on the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual. This noise analysis analyzes noise generated by the construction and operation of the Build Alternative, assessing impacts and, where appropriate, recommending noise abatement options to mitigate noise impacts. Refer to **Appendix C** for the noise and vibration analysis reports. Noise and vibration can cause nuisance and annoyance effects to the community and impact the quality of life. Vibration can

cause damage to infrastructure and buildings. In addition, local ordinances are also reviewed and followed if specific noise limits are noted.

Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) that is measured in decibels (dB), which is the standard unit of sound amplitude measurement. The dB scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound, with 0 dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain. Pressure waves traveling through air exert a force registered by the human ear as sound. The human ear perceives sound in a non-linear fashion; therefore, the dBA scale was developed. Because the dBA scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. Under the dBA scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two sources are each producing sound of the same loudness, the resulting sound level at a given distance would be approximately 3 dBA higher than one of the sources under the same conditions.

Vibration can be interpreted as energy transmitted in waves through the ground or man-made structures, which generally dissipate with distance from the vibration source. Because energy is lost during the transfer of energy from one particle to another, vibration becomes less perceptible with increasing distance from the source. There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal in inches per second (in/sec) and is most frequently used to describe vibration impacts to buildings. The peak particle velocity damage criterion for concrete, steel, and timber are 0.5 (in/sec). The peak particle velocity for damage criteria for timber and masonry buildings is 0.2 (in/sec).

The following steps were undertaken in the analysis of potential noise and vibration impacts:

1. Identify representative sensitive land uses (representative receptors) where noise and vibration impacts could potentially occur.
2. Determine existing noise exposure at representative receptors (preferably from noise measurements).
3. Predict Project noise and vibration exposure at representative receptors using FTA methodology; 35 United States, Dept. of Transportation, Fed. Transit Admin. FTA Report No. 0123, Transit Noise and Vibration Impact Assessment Manual. Sept. 2018. 27
4. Assess impacts by comparing existing and Project noise levels to FTA noise impact criteria.
5. Where noise and vibration impacts are predicted to exist, discuss appropriate noise and vibration mitigation options; and,
6. Assess potential construction noise and vibration impacts.

1. Affected Environment

A noise analysis report and vibration analysis memo were completed for the LPND to consider the regulatory environment, existing noise measurements, and noise modeling of the Project. Refer to **Appendix C**.

The State of North Dakota and Ward County do not have quantitative noise ordinances that would apply to this Project. Minot has quantitative noise limits based on zoning district, and the zones and their limits are shown in **Table 8**. Refer to **Figure 9** for the zoning districts adjacent and within the Project.

Table 8. City of Minot Noise Limits by Zoning

Time of Day	Zoning District		
	Residential	Commercial	Industrial
7:00 am – 11: 00 pm	55	65	80
11:00 pm – 7:00 am	50	60	75

In addition to the City limits, noise emissions from the Project were evaluated against FRA and FTA guidelines, which compare existing noise levels with future levels to determine impacts. For railyards and shops, the screening distance is 1,000 feet from the Project boundary. The noise analysis identified one location, an agricultural residence, within 1,000 feet of the Project boundary that would potentially be noise sensitive. To evaluate the Project noise levels against Minot limits, a 0.5-mile buffer to the Project Area was considered to identify four properties within residential zoning. Refer to **Figure 9**. The identified residences had existing noise levels measured and all were less than the FTA/FRA moderate (55 dBA) or severe (>65 dBA) noise impact thresholds.

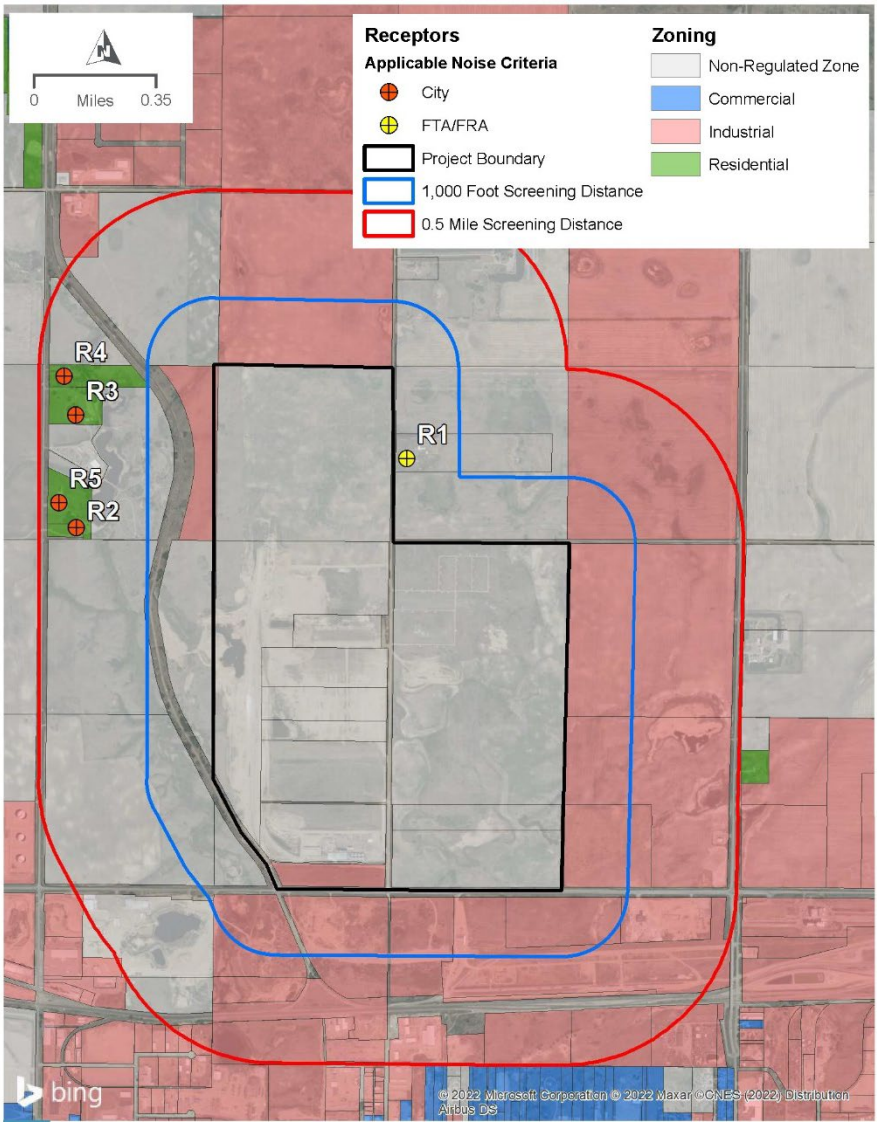


Figure 9.Noise Receptors Identified to meet FTA/FRA and Minot Noise Criteria

For vibration analysis, noise from these trains consist and speeds were modeled to calculate an hourly equivalent level (Leq). Therefore, these trains and speeds can be assumed to be on-site at the same time, therefore this information can be used to calculate ground-borne vibration levels using FTA methods (**Table 9**).

Table 9. Train Consist and Speed

Source	$L_{eq,50\ ft}$ (dBA)	Vehicle	SEL (dBA)	Number of Vehicles	Speed (mph)	Track Correction (dB)
Dry Bulk, Liquid Bulk arriving trains	63.9	Locomotive	92	4	10	N/A
		Car	82	128	10	5

Source	$L_{eq,50\ ft}$ (dBA)	Vehicle	SEL (dBA)	Number of Vehicles	Speed (mph)	Track Correction (dB)
Dry Bulk loading train	62.4	Locomotive	92	4	1	N/A
		Car	82	128	1	5
Liquid Bulk processing train	49-50	Locomotive	N/A	N/A	N/A	N/A
		Car	82	13-19	10	5
Manifest train	62	Locomotive	92	3	10	N/A
		Car	82	60	10	5

Based on the number of locomotives and railcars, this analysis used the frequent event threshold of 72 VdB. To determine the vibration impact distance associated with the Project, this analysis used the locomotive powered passenger or freight reference curve, a speed of 10 mph, and no source, path, or receiver adjustments. Since wheel impacts at special trackwork (i.e. switches, turnouts) increases vibration levels, HDR modeled vibration levels for trains on track with and without special trackwork.

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. Therefore, the No Action Alternative would generate no new operational or construction-period noise.

BUILD ALTERNATIVE

Under the Build Alternative, the facility would operate from 7:00 am to 6:00 pm Monday through Friday and from 7:00 am to noon on Saturday. LPND estimates that the average rail traffic would be 10 to 11 trains per week. During daily operations of the facility, the activities can be divided into six categories: dry bulk train operations, liquid bulk train operations, renewables facility operations, intermodal operations, transload operations, and manifest train operations (HDR 2023). Each of these categories were broken down into equipment ran during the activities and their noise levels, refer to **Appendix C** for the noise report.

These inputs were incorporated into noise modeling that incorporated the identified residential locations. **Figure 10** shows the peak hour noise contours for the facility, as well as the locations of the receivers. **Table 10** displays the noise modeling results for the receivers. Based on the noise contours, Project peak hours noise levels are also expected to be below 65 dBA at the Project boundary with adjacent industrial land uses, which follows the City's noise limits and below FTA/FRA moderate and severe noise impact thresholds (HDR 2023).

Table 10. Noise Modeling Results

Receiver	Modeled Facility-Related Leq (dBA)	Modeled Facility-Related Leq (dBA)	Noise Limit City of Minot Leq (dBA)	FTA/FRA Moderate and Severe Noise Impact Threshold Leq (dBA)
R1	57	52	N/A	55/>60
R2	48	51	55 day, 50 night	55/>61
R3	46	51	55 day, 50 night	55/>61

Receiver	Modeled Facility-Related Leq (dBA)	Modeled Facility-Related Leq (dBA)	Noise Limit City of Minot Leq (dBA)	FTA/FRA Moderate and Severe Noise Impact Threshold Leq (dBA)
R4	49	50	55 day, 50 night	55/>61
R5	49	49	55 day, 50 night	55/>61

For vibration, analysis results indicate that ground-borne levels from trains on tracks that have no special trackwork would decrease below the vibration impact threshold of 72 VdB at distances beyond 42 feet. There are no vibration-sensitive receptors within 42 feet of rail lines proposed as part of the Build Alternative. Analysis results also indicate that ground-borne vibration levels from trains on tracks that have special trackwork would decrease below the vibration impact threshold of 72 VdB at distances beyond 127.5 feet. There are no vibration-sensitive receptors within 127.5 feet of project-related rail lines where special trackwork exists. Therefore, analysis results indicate that ground-borne vibration from moving trains associated with the LPND are not projected to cause vibration impacts at vibration-sensitive parcels near the Project.

3. Minimization Measures

No minimization measures are required.

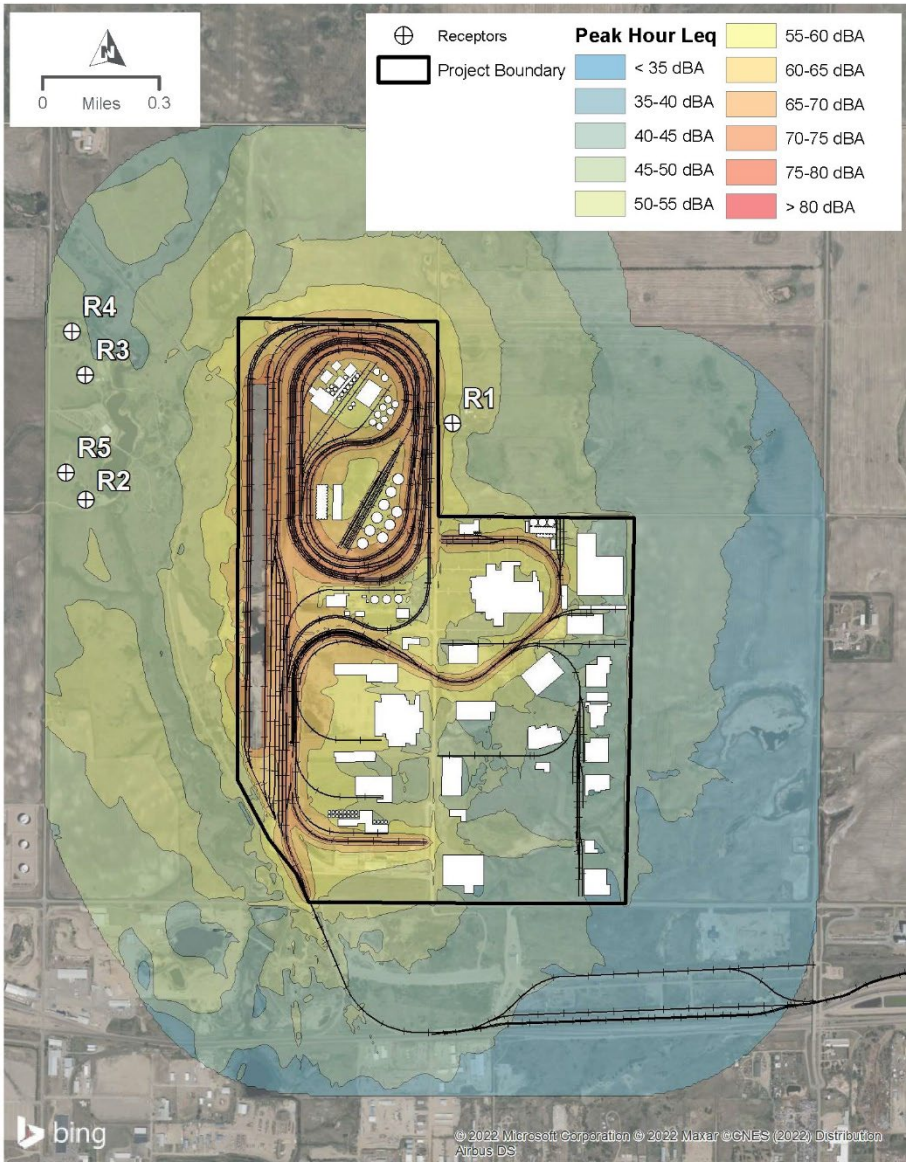


Figure 10. Peak Hour Noise Modeling Contours (dBA)

F. Threatened and Endangered Species

The U.S. Endangered Species Act (ESA) of 1973, as amended, provides protections for those species that are listed as threatened or endangered, along with their designated critical habitats. The ESA grants the U.S. Fish and Wildlife Service (USFWS) primary responsibility in administering the terrestrial species and habitat designations and protections granted under the ESA.

“Endangered” means that a species is in danger of extinction throughout all or a significant portion of its range. “Threatened” means that a species is likely to become endangered in the foreseeable future. “Critical habitat” is the specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require

special management and protection. A critical habitat may also include areas that are not currently occupied by the endangered or threatened species but are necessary for its recovery.

1. Affected Environment

A coordination letter was sent to North Dakota Game and Fish (NDGF) on November 14, 2022, to determine if federal- or state-listed threatened or endangered species are known to exist in the Project Area. No response was received, and North Dakota does not have a state endangered or threatened species list (NDGF, 2023).

The USFWS' Information, Planning, and Consultation System (IPaC) provides a species lists that identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of a proposed project or may be affected by a proposed project. The list also includes designated critical habitat if present within the Project Area. The IPaC report is contained in **Appendix D**.

According to IPaC, there are a total of five threatened, endangered, or candidate species on the ESA list with the potential to occur on the Project Area: the Dakota skipper (threatened), the piping plover (threatened), the red knot (threatened), whooping crane (threatened) and monarch butterfly (candidate). The IPaC also stated that there are no critical habitats within the Project Area under USFWS jurisdiction.

The Project Area consists of gently rolling fields, mass graded improved areas, some rolling hills, wetlands, a gravel pit, and a former FEMA mobile home park. The Project Area includes approximately 43.5 acres of potential Dakota skipper habitat that was surveyed and reported on CRISI Project, Ward County, ND Dakota Skipper 2022 Occupancy Surveys. Refer to **Appendix E**. Although the habitat as fair to good quality, there was no presence of the Dakota skipper.

2. Environmental Consequences

NO ACTION ALTERNATIVE

The No Action Alternative is not anticipated to impact federal, or state listed species.

BUILD ALTERNATIVE

FRA submitted an IPaC report on August 8, 2023, with a follow up coordination letter on September 13, 2023 (Consultation Code: 562-130118651). FRA determined the Project would have no effect on the Dakota skipper or whooping crane, and may affect, not likely to adversely affect on the piping plover and red knot. On October 6, 2023, USFWS concurred with this conclusion that the Project would not adversely affect or jeopardize federally listed/proposed species nor adversely modify designated/proposed critical habitats. Refer to Appendix D.

3. Minimization Measures

No minimization measures are required.

G. Energy Use

1. Affected Environment

Verendrye Electric Cooperative (Verendrye) and Montana-Dakota Utilities Co. (MDU) primarily provide electricity and natural gas to Minot. Verendrye is one of six members of the Central Power Electric Cooperative, Inc. (Central Power) that combine to serve over 67,363 farms, homes and businesses located in a service area of 25 counties across the central and southeastern third of North Dakota. Central Power's facilities required to serve the members include 174 delivery points, 25 wholly owned and 9 jointly owned high-voltage transmission stations, and 1,452 miles of transmission line interconnected with the Western Area Power Administration, Basin Electric Power Cooperative, and three investor-owned utilities (About Us: Central Power Electric Cooperative, Inc., 2023).

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed; therefore, the energy consumed would not change from the existing condition.

BUILD ALTERNATIVE

During operation of the Build Alternative, electricity would be used, including for lighting, ventilation, and heat. While the Build Alternative would result in an increase in energy use compared to existing conditions, the electric power and diesel fuel would be available from existing sources. Fuel savings would be realized in the long-term due to improved efficiencies in the movement of passenger rail to and from intermodal facilities. There would also be fuel savings consistent with the reduction of vehicle miles traveled shifting from truck to rail. Therefore, the Build Alternative would not have a significant impact on energy consumption and availability.

During construction of the Build Alternative, the construction contractor, and any subcontractors would use indirect energy to construct the rail infrastructure, including electricity, gasoline, and diesel fuel to power construction equipment and to install the building materials (concrete, steel, etc.). All contractors would be responsible for providing their own power to accomplish their work, most likely by using gas-operated generators for non-motorized construction equipment. Therefore, there would be no increase in electric power demand at the Project Area during construction.

3. Minimization Measures

No minimization measures are required.

H. Visual Resources

Aesthetics and visual resources are natural and cultural landscape features that people see and that contribute to the public’s appreciative enjoyment of the environment. Aesthetic and visual resource impacts are generally defined in terms of the extent to which the Project’s physical characteristics and potential visibility would change the perceived visual character and visual quality of the viewed landscape. Examples of these resources can include parks, natural areas,

scenic features, open vistas, water bodies, and other landscape features. Historic or urban core districts can also be visual resources. Viewers may include neighbors (who occupy land adjacent or visible to the project) and travelers (who may see the Project using existing transportation).

A qualitative assessment of the visual resources potentially impacted by the Project was conducted by defining the existing visual character of the Project Area and surrounding area and determining if the visual changes because of the Project would be incongruous with the existing visual character.

1. Affected Environment

There are no visually protected resources within the Cumulative Effects Study Area.

The Project Area is adjacent to the developed area of Minot, north of the railroad yard and east of the Minot International Airport. The Project Area has one industrial site developed and the remainder is undeveloped. The terrain is mainly flat with a few rolling hills. The area is pasture or hay land. Views from the site include adjacent residences to the north and west. The remaining views are pasture and hay land, with roadways.

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed, and the visual environment would remain unchanged. Views of the area from the surrounding area would continue to be of a few residences and structurally undeveloped grassed land.

BUILD ALTERNATIVE

Under the Build Alternative, views of the Project Area would be industrial in nature, including warehouses and rail lines. The Build Alternative would be visible from CR 19 and CR 12. The industrial sites would be visible to the residences on the north and east sides, although tree shelterbelts, stand or row of trees, are in some locations between the site and residences. As the Minot International Airport, railroad yard, industrial site, and other industrial sites are in the area, the Build Alternative would be consistent with the surrounding visual environment and would not create a substantial change in existing visual character of the Project Area. Therefore, the Build Alternative would have no major impact on visual resources.

3. Minimization Measures

No minimization measures are required.

I. Transportation

The potential impacts to transportation were evaluated comparing the current condition and capacity to the volume of use and capacity under the alternatives. The Study Area for transportation is the regional highway system and the roadway and railway network serving the Project Area.

1. Affected Environment

The railroad system within the area of the Project Area includes the BNSF spur line from the mainline, Tatman Spur. BNSF railyard is located south of the site. The BNSF rail lines extend east to west through Minot.

Three U.S. highways provide service to the Minot area, US 83, US 52, and US 2. US 83 runs from north of Westhope, North Dakota, at the Canadian border, to the Veterans International Bridge in Brownsville, Texas. US 52 runs from Portal, North Dakota at the Canadian border, where it continues as Saskatchewan Highway 39. US 2 western segment begins at an interchange with I-5 and State Route 529 in Everett, Washington. In addition, various state highways connect Minot to the local area surrounding the city and rest of the state.

The local roadway network that serves the Project Area consists of 30th Avenue Northeast on the north side, 27th Street Northeast on the west side, 55th Street Northeast on the east side, and CR 12 on the south side. The direct access road to the Project Site would be 42nd St NE.

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed, and the Project Area would remain unchanged. There would be no increase in rail or truck traffic to and from the Project Area. Roadway and highway infrastructure use would increase without the expansion of bulk railroad shipments because as demand for goods grows, area shippers would rely on trucking to deliver cargo long distances. Under the No Action Alternative, there would be no change to the freight railway network and transport of goods from truck to rail.

BUILD ALTERNATIVE

The Build Alternative would improve inbound and outbound reach for products for existing and future industries, increase competition, relieve congestion in the interstate highway system, and lower truck traffic for products that are shipped via truck. While roadway and highway traffic would decrease in general in the region, traffic would increase in the Project Area under the Build Alternative. The transloading facility is projected to haul 10 to 11 trains a week, each train is the equivalent of 3 to 4 trucks. Therefore, the facility would reduce truck trips from the highway network. Therefore, the Build Alternative would have a beneficial long-term impact on the broader highway network.

A minor increase in traffic would occur during the construction period for the construction workers and equipment transfer to the site that currently does not utilize these roads. The increased traffic on the local roadway network would not require additional traffic controls or other measures.

3. Minimization Measures

No minimization measures are required.

J. Land Use

The land use assessment involved a review of existing local and regional planning and zoning documents to determine the existing and allowable uses. The alternatives were then compared to these documents to make consistency determinations. The Study Area for land use was a half-mile radius around the Project Area.

1. Affected Environment

The Project Area is an identified logistics park for industry with rail connection. Currently, the Project Area consists of gently rolling fields, mass graded improved areas, some rolling hills, wetlands, a gravel pit, and a former FEMA mobile home park. The Minot 2040 Comprehensive Plan notes three existing land uses within the Project Area, industrial, agricultural/open space, and airport. The land use of the western half of the Project Area was noted as agricultural/open space and eastern half is industrial. The future land use was noted as heavy industrial (**Figure** 11) (Minot, City of Minot 2040 Comprehensive Plan, 2023).

2. Environmental Consequences

NO ACTION ALTERNATIVE

The No Action Alternative would not impact current land use or zoning. Under the No Action Alternative, LPND would neither construct nor operate the transload facility. Since the Project Area and surrounding area is primarily zoned heavy industrial, there would be potential for private development in the future.

BUILD ALTERNATIVE

The Build Alternative is compatible with the land use plans for this area by meeting the need for an intermodal facility, as well as expanding the industrial area. The location adjacent to roadway system, airport, and rail system, makes this area desirable to meet the need for this industrial area need within Minot.

3. Minimization Measures

No minimization measures are required.

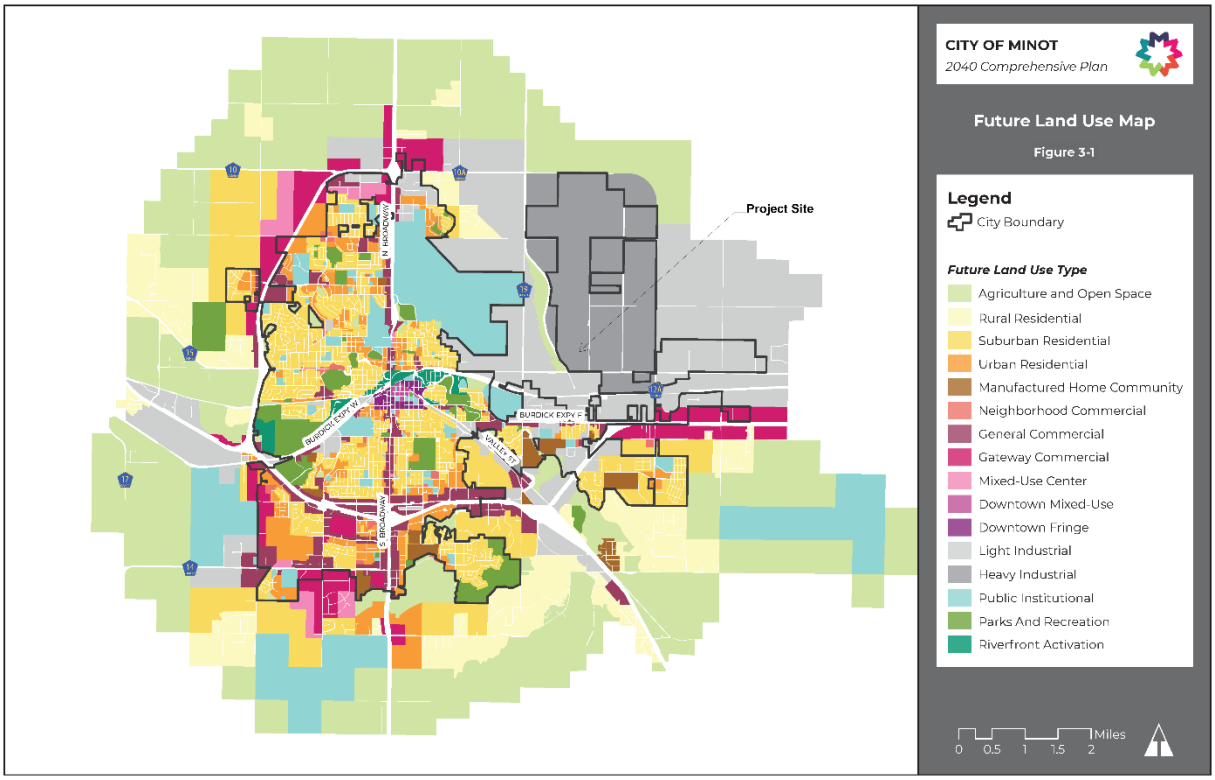


Figure 11. Future Land Use in Minot (Minot, City of Minot 2040 Comprehensive Plan, 2023)

K. Socioeconomic

This section discusses population demographics, employment characteristics, housing occupancy status, economic activity, and related data providing key insights into the socioeconomic conditions that might be affected by the Project. U.S. Census Bureau data was reviewed to characterize the socioeconomic conditions in the context of regional, state, and national trends. The Study Area for socioeconomic resources is the limits of Minot.

1. Affected Environment

POPULATION

According to the 2020 U.S. Census Bureau data, the City of Minot is a community of 48,377 residents. By comparison, the population of the State of North Dakota in 2020 was 779,094 residents. Minot and the State of North Dakota both experienced a 1.2% increase in population between 2010 and 2020. The State of North Dakota reported 11.3 persons per square mile, whereas Minot reported 1,774.9 persons per square mile (Quick Facts: Minot city, North Dakota, n.d.).

EMPLOYMENT CHARACTERISTICS

According to the U.S. Department of Labor's Bureau of Labor Statistics, the unemployment rate in Minot in June 2022 was 2.7%, similar to the 2.6% unemployment rate for the State of North Dakota, but lower than the national rate of 3.8%. From 2017 to 2021, 68.4% of Minot residents encompassed the citywide civilian labor force (age 16 years or older), while 68.5% of North Dakota residents encompassed the statewide civilian labor force. Employment in North Dakota

is diverse, with dominant sectors including mining, logging and construction, manufacturing, trade, transportation and utilities, financial activities, professional and business services, education, and health services, government, and leisure and hospitality (Economy at a Glance: North Dakota, n.d.). **Table 11** presents detailed information on the employment characteristics of both Minot and the State of North Dakota.

Table 11. Employment Characteristics for Minot and North Dakota

Employment Characteristics	City of Minot	State of North Dakota
Unemployment Rate	2.7%	2.6%
Median Household Income	$68,543	$68,131
Citywide Civilian Labor Force (Age 16 Years or Older)	68.4%	68.5%
Economy at a Glance: North Dakota, n.d.		

HOUSING

According to the 2020 U.S. Census Bureau, the State of North Dakota had approximately 370,642 housing units, of which approximately 63% were owner-occupied and the remaining 37% were renter-occupied or vacant. The total number of housing units in Minot is currently unreported; however, the U.S. Census Bureau estimates that approximately 55.3% of housing units in the city are owner-occupied, with the remaining 44.7% renter-occupied or vacant (Quick Facts: Minot city, North Dakota, n.d.).

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. The current housing and employment levels that exist in the Study Area would remain the same.

BUILD ALTERNATIVE

The Build Alternative would introduce transloading opportunities to both Minot and Central North Dakota. Based on a 2022 market analysis (HDR, Ackerman Estvold, and Global Innovative Solutions, 2022), a transload facility in Minot has the potential to spur additional development from businesses that desire to export and import goods via rail by providing a cost-effective shipping alternative compared to trucking. The Build Alternative would create construction jobs, and once operational, would generate full-time employment for the maintenance, operations, and management of the transload facility.

In addition, various key targeted industries in Minot would also potentially see economic benefits. The Build Alternative would improve the capacity to transport freight in and out of the region and would assist in more cost effectively importing products and exporting goods. As a result, Minot Area businesses could potentially add more high-wage jobs in value-added industries. Therefore, the Build Alternative would have a beneficial impact on socioeconomic resources.

3. Minimization Measures

No minimization measures are required.

L. Environmental Justice

The USEPA defines Environmental Justice (EJ) as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations requires that federal agencies, whenever practical and appropriate, maintain information of populations by race, national origin, or income and use this information to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects. Consistent with EO 12898, this analysis evaluates the potential for disproportionately high and adverse human health or environmental effects of its actions on minority and low-income populations.

EO 12989 defines minorities as individuals identifying as American Indian or Alaskan Native; Asian or Pacific Islander; Black, not of Hispanic origin; or Hispanic. Minority populations are defined as those where either (a) the minority population of the affected area exceeds 50% or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis. The Screening Tool for Equity Analysis of Projects (STEAP) maintained by the U.S. Department of Transportation (US DOT) was used to identify potential EJ populations in the Study Area and any disproportionate impacts to these populations (FHWA, 2023). The Study Area for the EJ analysis is a one-mile radius around the Project Area. Input from the public is an important consideration in the EJ process.

1. Affected Environment

Within the Study Area, minority and low-income populations are present; however, there are no populations in excess of 50% of the total population. EJ populations are considered present if populations in the Study Area are 10% higher than compared to Minot. The percentages of minority and low-income persons in the EJ Study Area were compared to the percentages of minority and low-income persons in Minot. The Study Area contains percentages that are equal to or slightly lower than the overall city average (**Table 12**). Since populations are equal to or less than 10 percentage points higher than the city average and make up less than 50 percent within the Study Area, these percentages are not interpreted to be meaningfully greater than those of Minot and are not considered EJ populations.

Table 12. Environmental Justice Populations in Study Area and City of Minot

Environmental Justice Population	Study Area	City of Minot
Black or African American	2.6%	4.7%
Asian	1.6%	2.0%
American Indians or Alaska Native	3.9%	2.3%
Native Hawaiian and other Pacific Islander	0.1%	0.3%
Hispanic or Latino	6.1%	7.1%
Estimated Population below Poverty Level	11.7%	11.7%
Quick Facts: Minot city, North Dakota, n.d.		

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed, therefore, there would not be disproportionate adverse impacts on minority or low-income populations.

BUILD ALTERNATIVE

The socioeconomic Study Area does not contain disproportionately high concentrations of EJ populations that would be impacted by the Project relative to the surrounding area. The EJ populations would benefit from the job opportunities generated by the Project's construction and operation. The economic activity created by the Project is expected to provide a short-term increase in incomes in the local EJ communities and have a positive effect on poverty rates. No residences occur in the Project Area, the specific site area. Residences are located within a 0.5-mile buffer from the Project Area. During construction, vehicular access around the Study Area would be maintained, and construction is not expected to disproportionately burden minority or low-income populations.

3. Minimization Measures

No minimization measures are required.

M. Public Health and Safety

This analysis of public health and safety includes consideration for any activities, occurrences, or operations that have the potential to affect the safety, well-being, or health of members of the public. A safe environment is one in which there is no, or an optimally reduced, potential for death, serious bodily injury or illness, or property damage. This section identifies the potential for accidents or impacts on the public.

Public health and safety during construction, demolition, and renovation activities is associated with construction traffic, as well as the safety of personnel within or adjacent to the construction zones. Operational safety may refer to the actual use of the facility or built-out proposed project, or training or testing activities, and the potential risks to inhabitants or users of adjacent or nearby land and water parcels. Safety measures are often implemented through designated safety zones, warning areas, or other types of designations.

1. Affected Environment

The Project Area is served by the Minot Police and Fire Departments. The Project Area is adjacent to the developed area of Minot, north of the railroad yard and east of the Minot International Airport. The Project Area has one industrial site developed and the remainder is undeveloped. Currently, the Project Area is not fenced, and trespassing is managed by the Minot Police Department.

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. There would be no change to public health and safety because the Project Site would remain unchanged.

BUILD ALTERNATIVE

During operation of the Build Alternative, the intermodal facility would not pose a significant threat to public health and safety. The intermodal facility would be privately owned and operated; it and would not be open to the public. The intermodal facility would be designed to incorporate safety measures, such as controlled gates, cameras, lights, and fencing.

The design of the Build Alternative incorporates safety and security measures to reduce the risk of rail accidents (i.e., signaling, crossing protection) in accordance with FRA and State of North Dakota regulations. In addition, intermodal facility staff would be properly trained in safety and security matters. Therefore, the Build Alternative would not significantly impact public health and safety.

Under the Build Alternative, construction of the intermodal facility would not impact fire, police, medical, or transportation services because the number of employees and visitors during construction would be minimal compared to the overall existing population served. Additionally, construction activities would be confined to the Project Site. No changes to the roadway network, including detours and closures, would occur.

3. Minimization Measures

Permanent fencing, controlled gates, security cameras, and lighting would be erected to prevent the public from accessing areas immediately within the Project Area.

N. Hazardous Materials

Solid waste disposal includes hazardous materials and waste sites, either from the presence of stored materials or due to past spills or leaks. A hazardous material or waste is any chemical, biological, or physical substance (liquid, solid, gas, or sludge) that can be potentially harmful to public health or the environment. Hazardous materials or wastes can be substances such as solvents, pesticides, or discarded commercial, industrial, or medical waste.

1. Affected Environment

Currently, the Project Area consists of gently rolling fields, mass graded improved areas, some rolling hills, wetlands, a gravel pit, and a former FEMA mobile home park. An initial Phase I Environmental Site Assessment (ESA) was conducted within the Project Area in June 2022 to determine whether any onsite operations or practices, present or historical, have caused or contributed to releases of hazardous substances or petroleum products to the environment. According to the Phase I ESA, several potential sources were identified, including the BNSF Railway, Northwest Transloading Facility – BNSF Gavin Yard, and AGT Foods (Ackerman-Estvold, 2022). The Phase I ESA report concluded the site's use as a railroad right of way and a railroad transload facility have caused releases to the soil and may have affected surface or groundwater on the site. The adjacent current and historic use along with past documented and likely undocumented releases at BNSF's Gavin Yard may affect the property, or its groundwater and a limited Phase II ESA was recommended.

Material Testing Services, LLC (MTS) conducted a limited Phase II soil investigation in select areas of the Project site in September 2022 (Material Testing Services, 2022). Twenty-two soil borings were advanced on the site and soil samples were collected and screened for the

presence of volatile organic compounds (VOCs) using a photoionization detector (PID). The results of the investigation identified the presence of VOCs in the soils where surficial stains were identified in the Phase I ESA. Essentially all soil borings performed in the vehicle maintenance and repair area had surficial stains and buried debris. Most of the soil samples revealed strong creosote odors, with a select few also exhibiting PID readings above 100 parts-per-million (ppm). The areas of environmental concern are shown in **Figure 12**.

The MTS report states the maximum vertical and horizontal extent of contamination, buried debris, and types of buried debris encountered remains unknown. Due to the density of the buried debris, it was recommended test pit excavations be performed in areas of concern to fully delineate the extent of the subsurface impacts. Removal and proper disposal of a tote, an unsealed 5-gallon bucket of sludge, and surficial stained soils identified in the vehicle maintenance area was also recommended. This further excavation would be completed during final design of the site and is discussed below under **Section N.3. Hazardous Materials-Mitigation Measures**.

Figure 12. Areas of Environmental Concern (Material Testing Services, 2022)

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. There would be no change to hazardous materials because the Project Area would remain unchanged.

BUILD ALTERNATIVE

The Build Alternative could impact hazardous materials during the redevelopment of the Project Area, which would include site grading, earthwork for new structures, roadway construction, and construction of utility infrastructure. Construction and excavation could disturb soils and/or groundwater at the Project Area, and unplanned or yet unknown activities might expose workers to the chemicals identified in the soils/groundwater. Prior to construction, further investigation by

an environmental contractor would be needed to delineate known soil and/or groundwater impacts identified in previous assessments and develop a site-specific management plan to address known and potential hazardous material issues.

Under the Build Alternative, hazardous materials could also be handled during operation of the transload facility and could pose a potential public health concern if not properly handled or maintained. Therefore, tenants and the operator of the transload facility would have contractual agreements requiring compliance with environmental regulations, including requirements to maintain BMPs and equipment for spill prevention and response, known as a Spill Prevention, Control, and Countermeasure (SPCC) plan. The environmental contractor could also assist with preparing the SPCC plan, if needed. Operation of the Build Alternative would have no significant impact of hazardous waste materials.

3. Minimization Measures

Prior to construction, Minot will employ an environmental contractor to conduct further investigation, prepare and implement a site-specific management plan to address known and potential hazardous material issues, as needed. The environmental contractor would be on-site during construction to oversee the proper handling, characterization, treatment, and/or management and disposal of impacted soil and groundwater encountered during construction activities.

All excavated soil requiring off-site disposal (or reuse) would be characterized and managed in accordance with applicable NDDEQ regulatory requirements, including the testing requirements of any intended receiving facilities. Transportation of material within or leaving the Project site would be completed in accordance with all applicable federal, state, local, and agency requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc.

During operation of the Build Alternative, tenants, and the operator of the transload facility would comply with the SPCC plan.

O. Cultural Resources

Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, requires Federal agencies to consider the effects of their undertakings on historic properties and to provide the public and the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment. Federal agencies, such as the FRA, are required to consult pursuant to the Section 106 process with State Historic Preservation Offices (SHPO), and Tribal Historic Preservation Offices (THPO). 36 CFR 800 (Protection of Historic Properties) governs the Section 106 process and outlines how Federal agencies are to consult with SHPOs, THPOS, Tribes, Native Hawaiian Organizations (NHOs), and other interested parties, identify historic properties, determine whether and how such properties may be affected, and resolve adverse effects.

1. Affected Environment

Metcalf Archaeology completed a Class III pedestrian level survey for the Project Area on November 8-9, 2021. A single isolated find, 32WDx833, was identified and was recommended as not eligible for inclusion in the National Register of Historic Places (NRHP). Metcalf noted an effect determination of *No Historic Properties Affected* recommended for this undertaking (Metcalf, 2021).

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. No historic properties would be affected.

BUILD ALTERNATIVE

Under the Build Alternative, no historic properties would not be affected. The ND SHPO concurred with the recommended effect determination of *No Historic Properties Affected* on December 28, 2021. Refer to **Appendix D** for the ND SHPO concurrence letter.

The FRA undertook government-to-government consultation, in compliance with Section 106 of the NHPA, with the federally recognized tribes identified having lands or resources in the Project Area. The FRA identified the following tribes:

- *Apache Tribe of Oklahoma* – Chairman
- *Fort Belknap Indian Community* – President
- *Three Affiliated Tribes* – Chairman

The FRA contacted each Tribe to invite each to participate in the Section 106 and NEPA processes. The FRA provided the Tribes information on the project including a project description and map. The first contact was made via a coordination letter sent on September 8, 2023. Follow up contacts were made by resending the letter via mail and email on January 12, 2023, and a follow up call was made on February 21, 2024. The Apache Tribe of Oklahoma provided verbal input for the Project. Refer to **Appendix D**.

3. Minimization Measures

The Apache Tribe of Oklahoma provided verbal input for the Project and noted that during construction if any cultural or archeological materials are discovered, their Environmental Department should be contacted at 405.247.9493.

P. Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act (49 U.S.C § 303) protects publicly owned and accessible parks, recreation areas, and wildlife and waterfowl refuges, as well as historic sites and archeological sites, regardless of ownership and accessibility. A use of a Section 4(f) property is defined as a physical take of land from a protected property (temporary occupancy or permanent incorporation) or an action that substantially impairs the protected features, activities, or attributes of the Section 4(f) property. The Study Area for Section 4(f) is a half-mile radius from the Project Area.

1. Affected Environment

Parcel ownership was reviewed within the Study Area. All property in the Study Area is privately owned. The Minot 2040 Comprehensive Plan notes the portion of the Study Area that is directly west of the BNSF rail line is agricultural and open space. These areas are defined as open areas preserved from heavy development for many possibly uses, recreational opportunities, groundwater recharge, or flood retention. This specific area was noted for flood retention. (Minot, City of Minot 2040 Comprehensive Plan, 2023). The park property is under private ownership and the City has not attempted to buy it. Based on the proposed use for the area and the lack of a solid plan for the area, this is not a Section 4(f) property. No historic sites were present within the Project Area.

2. Environmental Consequences

NO ACTION ALTERNATIVE

Under the No Action Alternative, the LPND would not be constructed. There would be no use of Section 4(f) properties because the Project site would remain undeveloped grassed land.

BUILD ALTERNATIVE

No resources protected by Section 4(f) were present within the Study Area; therefore, the Build Alternative would not result in a Section 4(f) use.

3. Minimization Measures

No minimization measures are required.

Q. Cumulative Impacts

The NEPA process requires FRA and other federal agencies to address and consider cumulative impacts to a project's surrounding environment. The measures to minimize direct effects of the Project were evaluated in making the cumulative effect determination. For example, temporary construction effects that are fully mitigated during construction are not likely to contribute to a cumulative effect. In general, the analysis focused on operational effects of the Project.

1. Affected Environment

In the past, this area was converted from open prairie to the developed city limits of Minot with the BNSF rail, Tatum Spur, and railyard to the south of the Project Area.

A review of the Minot Capital Improvement Plan (CIP) 2024 to 2028 and the Minot 2040 Comprehensive Plan was completed to determine if any planned projects were within the vicinity of the project. The area is planned to be within an industrial area, covered from existing land use of agricultural to heavy industrial, surrounded by light industrial. A small portion on the west side of the railroad is planned for parks and recreation. Adjacent to the site on the west side is the Minot International Airport. A portion of the CIP notes funding set aside for improvements to the airport, no expansion is planned (Minot, City of Minot 2040 Comprehensive Plan, 2023).

2. Environmental Consequences

There is a potential for minor effects of the Build Alternative on air quality, water quality, wetlands, and hazardous materials. The impacts of the Build Alternative in consideration with other planned projects in the Project Area and within the area of influence for each resource was considered. A discussion of the potential cumulative impacts for each resource area is included below. The analysis concluded that the Project is not anticipated to result in significant cumulative impacts.

Air Quality. Although construction and operation of the Build Alternative would produce air emissions for the rail system, the Project would also reduce emissions from truck transport. Reasonably foreseeable future actions would also benefit from these improvements and result in reduced delay times that contribute to emissions. Land use plans note the area to be converted into light to heavy industrial beyond this site, and the businesses and industries would be required to meet North Dakota air quality standards. Therefore, meeting the standards and this reduction of truck transport emissions, the overall cumulative effect to air quality is anticipated to be minimal.

Water Quality. The Build Alternative would result in minimal impacts to water quality that would be offset by BMPs and other minimization measures. Other industries and development would also be required to incorporate BMPs and meet the standards of Minot and North Dakota. Therefore, the minimal impacts with existing and other planned development would have a minor to moderate impact on water quality, which would be minimized by the incorporation of BMPs for each project and site development.

Wetlands. The Build Alternative would result in impacts to wetlands that would be offset by minimization and mitigation measures. Each project would be subject to the CWA and if jurisdictional wetlands are impacted to a certain level, a Section 404 permit would be required and possibly mitigation. If a project has a federal nexus, then EO 11990 would apply, and mitigation would be required for impacts to natural wetlands. Therefore, impacts to wetlands and waterways would occur and would have a minimal impact overall. This impact would be minimized and mitigated to an extent due to the two regulations and requirements.

Hazardous Materials. The potential for exposure to hazardous materials is generally a construction effect. The Project is not expected to result in a discharge of hazardous materials. If any inadvertent discharges occur, these would be contained, and adverse effects avoided. In general, development projects improve conditions. Therefore, the Project is not likely to contribute to a cumulative environmental effect from hazardous materials releases.

VII. Coordination and Consultation

A. Agency Coordination

During the development of this Environmental Assessment, NDDOT, City of Minot, and Minot Chamber EDA conducted coordination with the following agencies and stakeholders listed below. Refer to **Appendix D** for the agency response letters.

COORDINATION ACTIVITIES

- November 11, 2022: Agency and Stakeholder Scoping Letters
- November 18, 2022: Response from *City of Minot*- City Engineer
- November 18, 2022: Response from *North Dakota Geological Survey*- Geologist
- November 18, 2022: Response from *North Dakota Trust Lands*- Natural Resources Professional ROW
- November 23, 20233: Response from *North Dakota Department of Environmental Quality*- Director
- November 29, 2022: Response from *WAPA*- Reality Specialist
- December 1, 2022: Response from *North Dakota Department of Water Resources*
- December 21, 2022: Response from *Environmental Protection Agency*- NEPA Branch Manager

COORDINATION AGENCIES AND STAKEHOLDERS

- *City of Minot*- Commissioners, Engineer, Fire Chief, Manager, Mayor, Planner and Police Chief
- *North Dakota Department of Water Resources*- Director and Project Reviewer
- *Indian Affairs Commission*
- *Minot International Airport*
- *North Dakota Aeronautics*
- *North Dakota Associations of Counties*
- *North Dakota Department of Emergency Services*
- *Noth Dakota Forest Service*
- *North Dakota Game & Fish Department*
- *North Dakota Geological Survey*
- *North Dakota Geological Survey*
- *North Dakota National Guard*
- *North Dakota Parks and Recreation*
- *North Dakota State Historic Preservation Office*
- *North Dakota Tourism Division*
- *North Dakota Trust Lands*
- *North Dakota Department of Environmental Quality*
- *North Dakota State University Extension Service Soil Conservation Committee*
- *Bureau of Indian Affairs*
- *Bureau of Reclamation*
- *Federal Emergency Management Administration*
- *Grand Forks Air Force Base*

- *U.S. Coast Guard*
- *U.S. Geological Survey*
- *U.S. Army Corp of Engineers*
- *U.S. Department of Corrections*
- *U.S. Department of Energy*
- *U.S. Environmental Protection Agency*
- *U.S. Fish and Wildlife Service*

B. Tribal Coordination

The FRA undertook government-to-government consultation, in compliance with Section 106 of the NHPA, with the federally recognized tribes identified having lands or resources in the Project Area. The FRA identified the following tribes:

- *Apache Tribe of Oklahoma* – Chairman
- *Fort Belknap Indian Community* – President
- *Three Affiliated Tribes* – Chairman

The FRA contacted each Tribe to invite each to participate in the Section 106 and NEPA processes. The FRA provided the Tribes information on the project including a project description and map. The first contact was made via a coordination letter sent on September 8, 2023. Follow up contacts were made by resending the letter via mail and email on January 12, 2024 and a follow up call was made on February 21, 2024. See **Appendix D** for the coordination. The Apache Tribe of Oklahoma provided verbal input for the Project and noted that during construction if any cultural or archeological materials are discovered, their Environmental Department should be contacted at 405.247.9493.

C. Public

An agency, stakeholder, and public involvement plan (PI Plan) was prepared to define an approach that fosters proactive public involvement (HDR, 2023). The PI Plan provides a brief overview of the project, defines the goals of public relations efforts, identifies the public involvement team and responsibilities, provides a stakeholder analysis, defines key communication tools and tactics, outlines the media plan, and provides a comment management protocol.

The public involvement team uses a variety of communication tools and tactics to communicate with the public throughout the project. Outreach includes a press release, newspaper advertisements, web page updates on the Minot EDC site- Minot Area Chamber EDC (minotchamberedc.com), and social media posts. Materials made available will include this EA, which will be released for public review with a formal comment period.

VIII. List of Preparers

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IX. Bibliography

AAR. (2021). *What Railroads Haul: Intermodal*. Retrieved from Association of American Railroads Newsletter - September 21, 2021: https://www.aar.org/wp-content/uploads/2020/07/AAR-Intermodal-Fact-Sheet.pdf

About Us: Central Power Electric Cooperative, Inc. (2023, November). Retrieved from Central Power Electric Cooperative, Inc.: https://www.centralpwr.com/

Ackerman Estvold. (2022). *Field Aquatic Resource Delineatoin and OHWM Report for Port of ND .*

Ackerman-Estvold. (2022). *Phase I Environmental Site Assessment: Port of ND-Minot, ND.*

BTS and USDOT-FHWA. (2021). Freight Analysis Framework Version 5. Prepared by Oak Ridge National Laboratory.

Economy at a Glance: North Dakota. (n.d.). Retrieved from U.S. Bureau of Labor Statistics: https://www.bls.gov/regions/midwest/north_dakota.htm

EJScreen. (2023, November 4). *EPA EJScreen*. Retrieved from EPA's Environmental Justice Screening and Mapping Tool (Version 2.2): https://ejscreen.epa.gov/mapper/

FHWA. (1997). *1997 federal highway cost allocation study : final report.* United States. Federal Highway Administration.

FHWA. (2023). *Screening Tool for Equity Analysis of Projects (STEAP): Project Buffer Analysis Profile Report.*

FRA, U. D. (2022, April). *Federal Railroad Administration Announces Climate Challenge to Meet Net-Zero Greenhouse Gas Emissions by 2050*. Retrieved from US DOT FRA: https://railroads.dot.gov/newsroom/press-releases/federal-railroad-administration-announces-climate-challenge-meet-net-zero-0

GAO. (1979). *Comptroller General's Report to Congress - Excessive Truck Weight: An Expensive Burden We can No Longer Support.* United States Government Accountability Office.

GAO. (2011). *Report to the Subcommittee on Select Revenue Measures, Committee on Ways and Means, House of Representatives. Surface Freight Transportation: A Comparison of the Costs of Road, Rail, and Waterways Freight Shipments That Are Not Passed on to Consumers .* United States Government Accountability Office.

HDR. (2018). *Benefit-Cost Analysis Supplementary Documentation, CRISI Grants Program - Minot Intermodal Facility. September 14, 2018.*

HDR. (2022). *Logistics Park of North Dakota – Freight Rail Basis of Design. November 17, 2022.*

HDR. (2023). *Agency, Stakeholder, and Public Involvement Plan.*

HDR. (2023). *Logistics park of North Dakota Noise Analysis Report.* Minot.

HDR, Ackerman Estvold, and Global Innovative Solutions. (2022). *Logistics Park of North Dakota: Market Analysis Final Report.*

Illinois Soybean Association. (2019). *Asia Shows Increasing Demand for Container Shipping of U.S. Soybeans.* Retrieved from PR Newswire on July 25, 2023: https://www.prnewswire.com/news-releases/asia-shows-increasing-demand-for-container-shipping-of-us-soybeans-300832357.html

Material Testing Services, L. (2022). *Limited Phase II Soils Investigation and Analysis for "Select Activity Areas, Rail Modal Group Site, 4900 Railway Avenue, Minot, Ward County, North Dakota".*

Metcalf. (2021). *ACKERMAN-ESTVOLD: A CLASS III CULTURAL RESOURCE INVENTORY FOR THE MINOT INTERMODAL RAIL YARD IN WARD COUNTY, NORTH DAKOTA.*

Minot. (2021). *Water Quality Report.*

Minot. (2023). *City of Minot 2040 Comprehensive Plan.*

NAWS. (2023, January). *NAWS Brochure*. Retrieved from Northwest Area Water Supply Project: https://www.swc.nd.gov/pdfs/naws_brochure.pdf

NDCC Chapter 33-15-02-04. (n.d.). Retrieved from North Dakota Department of Environmental Quality, Division of Air Quality: https://deq.nd.gov/aq/rulesregs.aspx

NDDH. (2023). *Annual Report, North Dakota Ambient Air Quality Monitoring Program.*

NDDOT. (2012). *TransAction III: North Dakota's Statewide Strategic Transportation Plan.* Bismarck, ND: Office of Transportation Programs - Planning/Asset Management Division.

NDDOT. (2015). *North Dakota State Freight Plan.* Bismarck, ND: Office of Transportation Programs - Planning/Asset Management Division.

NDDOT. (2017). *2040 North Dakota State Rail Plan.* Bismarck, ND: North Dakota Department of Transportation.

NDDOT. (2023b). *State Freight & Rail Plan: Transportation Connection.*

NDGF. (2023, November 7). *North Dakota Game and Fish*. Retrieved from Threatened and Endangered Species: https://gf.nd.gov/wildlife/endangered#:~:text=North%20Dakota%20ESA%20Listed%20Species%20Black-Footed%20Ferret%20%28Mustela,Skipperling%20%28Oarisma%20poweshiek%29%20Red%20Knot%20%28Calidris%20canutus%20

NDTO. (2014). *Intermodal Freight Transportation in North Dakota and Factors Influencing Use of Container Transportation to Expand Exports, Interim Report, Revised Report, April 2014.* North Dakota Trade Office.

NDTO. (2017a). *North Dakota Intermodal Initiative: Estimating Demand for Container Exports from North Dakota and Surrounding Region, Revised Preliminary Report, July 23, 2017.* North Dakota Trade Office.

NDTO. (2017b). *North Dakota Intermodal Initiative: Progress Report and Related Information Topics, March 15, 2017.* North Dakota Trade Office.

NDTO. (2020). Retrieved from North Dakota Trade Office on 7/25/2023: https://ndto.com/the-first-intermodal-rail-service-comes-to-minot-north-dakota/

North Dakota Department of Environmental Quality. (2020). *Authorization to Discharge Under the North Dakota Pollutant Discharge Elimination System.* Bismark.

Quick Facts: Minot city, North Dakota. (n.d.). Retrieved from United States Census Bureau: https://www.census.gov/quickfacts/fact/dashboard/minotcitynorthdakota/PST045222

Schramm, J. (January 2022). Minot Proposes Another Water Well in Sundre Aquifer. *Minote Daily News*, 1.

Summary of the Clean Air Act. (n.d.). Retrieved from United States Environmental Protection Agency: https://www.epa.gov/laws-regulations/summary-clean-air-act

UGPTI - NDSU. (2002). *North Dakota Strategic Freight Analysis: The Role of Intermodal Container Transportation in North Dakota.* Upper Great Plains Transportation Institute - North Dakota State University.

UGPTI - NDSU. (2021). *North Dakota Strategic Freight Analysis, October 2021.* Upper Great Plains Transportation Institute - North Dakota State University .

USDOT. (2020). *National Freight Strategic Plan.*

USEPA. (2023). *Fast Facts: Transportation Greenhouse Gas Emissions*. Retrieved from United States Environmental Protection Agency: https://www.epa.gov/greenvehicles/fast-facts-transportation-greenhouse-gas-emissions

USEPA. (2023). *USEPA Green Book*. Retrieved from United States Environmental Protection Agency: https://www.epa.gov/green-book

Appendix A. **Logistics Park of North Dakota – Freight Rail Basis of Design (HDR 2022 Technical Memorandum)**

Appendix B. **Field Aquatic Resource Delineation and OHWM Report**

Appendix C. **Logistics Park of North Dakota Noise Analysis Report**

Appendix D. **Agency and Tribal Coordination**

Appendix E. **Dakota Skipper 2022 Occupancy Surveys**