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To: [Hamre, John G.](#)
Subject: Filing Accepted for Case: 08-2018-CV-02937; Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.; Envelope Number: 3293192
Date: Friday, February 01, 2019 8:54:01 AM

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Filing Accepted

Envelope Number: 3293192
Case Number: 08-2018-CV-02937
Case Style: Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.



The filing below was reviewed and has been accepted by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

Filing Details	
Court	Burleigh County - South Central District
Case Number	08-2018-CV-02937
Case Style	Environmental Law and Policy Center, et al. vs. North Dakota Public Service Commission, et al.
Date/Time Submitted	1/31/2019 6:08 PM CST
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Accepted Comments	
Filing Type	Exhibit
Filing Description	CR Exhibit 25 Record Addition 3 County Permit Application part 8 of 10
Activity Requested	EFileAndServe
Filed By	John Hamre
Filing Attorney	Illona Jeffcoat-Sacco

Document Details	
Lead Document	CR Exhibit 25 Record Addition 3 County Permit Application part 8 of 10.pdf
Lead Document Page Count	11

File Stamped Copy

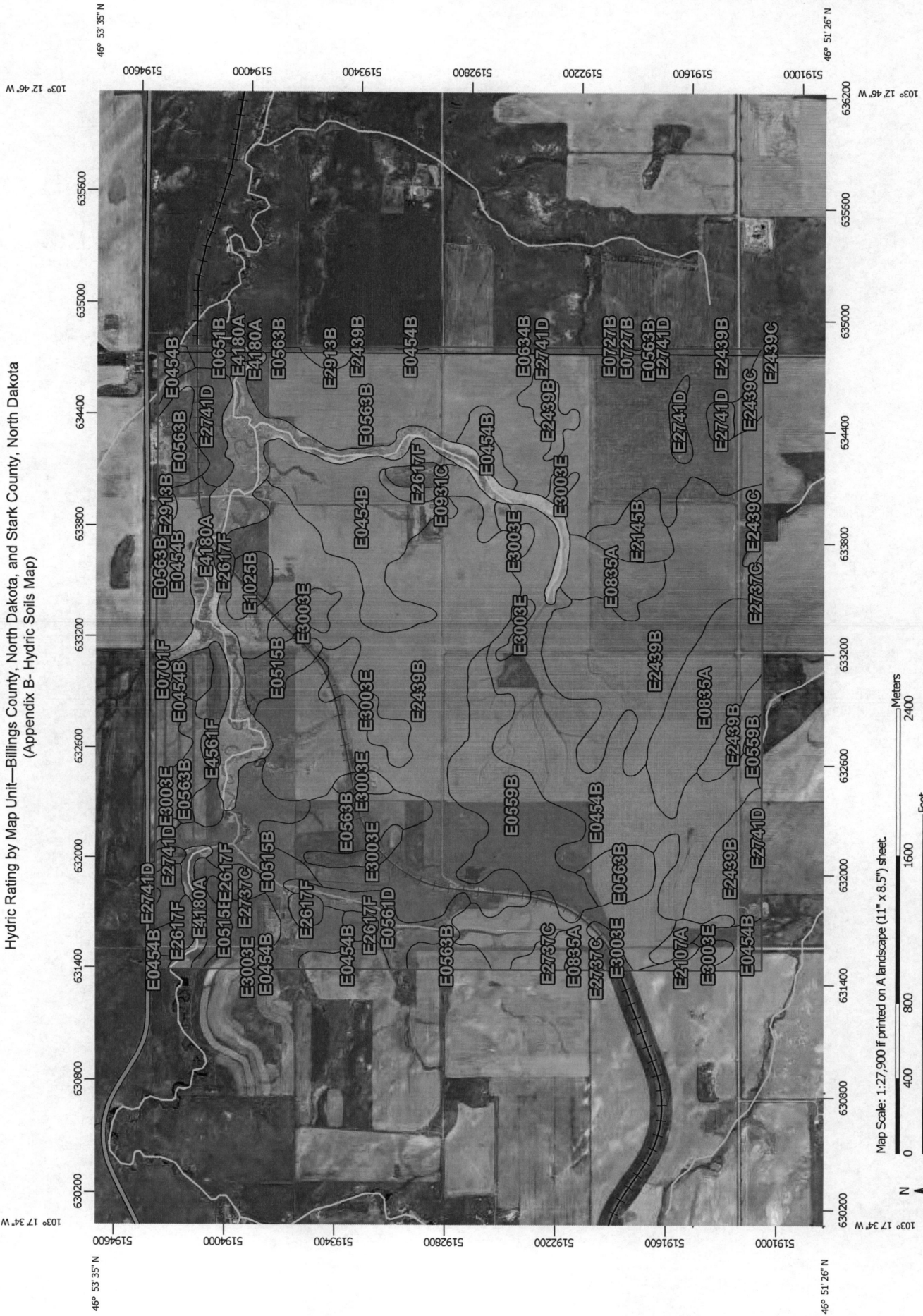
[View Stamped Document](https://northdakota.tylerhost.net/ViewDocuments.aspx?FID=c0ae9e88-dba4-43f3-9b72-8471b8896a99)

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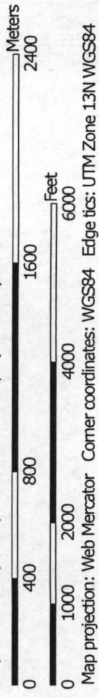
<https://northdakota.tylerhost.net/ViewDocuments.aspx?FID=c0ae9e88-dba4-43f3-9b72-8471b8896a99>

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North Dakota Court's Information Technology Department 701-328-4218
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Hydric Rating by Map Unit—Billings County, North Dakota, and Stark County, North Dakota
(Appendix B- Hydric Soils Map)



Map Scale: 1:27,900 If printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84



MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:20,000 to 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Billings County, North Dakota
Survey Area Data: Version 18, Sep 24, 2015

Soil Survey Area: Stark County, North Dakota
Survey Area Data: Version 15, Sep 25, 2015

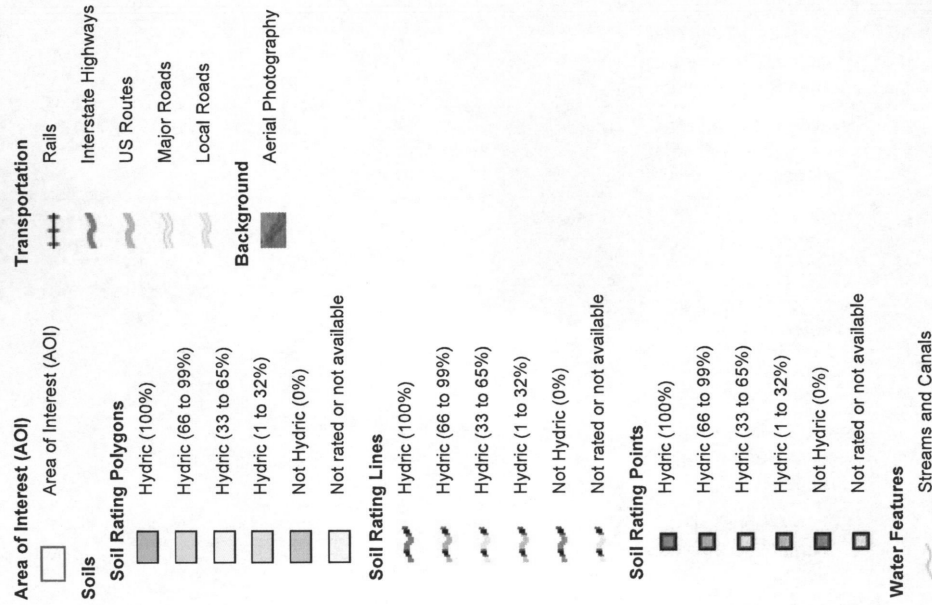
Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 3, 2011—Jun 6, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

MAP LEGEND



Hydric Rating by Map Unit

Hydric Rating by Map Unit— Summary by Map Unit — Billings County, North Dakota (ND007)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
E0454B	Daglum-Rhoades complex, 0 to 6 percent slopes	0	455.2	16.5%
E0515B	Rhoades-Daglum complex, 0 to 6 percent slopes	0	123.5	4.5%
E0559B	Dogtooth-Janesburg silt loams, 0 to 6 percent slopes	0	122.5	4.4%
E0561D	Dogtooth-Janesburg complex, 6 to 15 percent slopes	0	36.3	1.3%
E0563B	Janesburg-Dogtooth silt loams, 0 to 6 percent slopes	0	513.6	18.6%
E0651B	Regent-Janesburg complex, 3 to 6 percent slopes	0	7.1	0.3%
E0701F	Dogtooth-Janesburg-Cabba complex, 6 to 35 percent slopes	3	4.1	0.2%
E0835A	Savage-Grail silty clay loams, 0 to 2 percent slopes	0	208.0	7.5%
E0931C	Wayden-Moreau silty clays, 3 to 9 percent slopes	0	18.4	0.7%
E1025B	Regent-Savage silty clay loams, 3 to 6 percent slopes	0	16.7	0.6%
E2107A	Arnegard loam, 0 to 2 percent slopes	0	3.9	0.1%
E2145B	Shambo loam, 2 to 6 percent slopes	0	27.4	1.0%
E2439B	Sen-Janesburg silt loams, 3 to 6 percent slopes	0	723.4	26.2%
E2439C	Sen-Janesburg silt loams, 6 to 9 percent slopes	0	13.1	0.5%
E2617F	Cabba-Chama-Shambo loams, 9 to 50 percent slopes	0	51.6	1.9%
E2737C	Chama-Cabba-Sen silt loams, 6 to 9 percent slopes	0	41.7	1.5%

Hydric Rating by Map Unit— Summary by Map Unit — Billings County, North Dakota (ND007)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
E2741D	Cabba-Chama-Sen silt loams, 9 to 15 percent slopes	0	52.3	1.9%
E2913B	Chama-Sen-Cabba silt loams, 3 to 6 percent slopes	0	9.8	0.4%
E3003E	Amor-Brandenburg complex, 3 to 25 percent slopes	0	115.3	4.2%
E4180A	Korell-Daglum-Fluvaquents complex, channeled, 0 to 2 percent slopes, frequently flooded	42	163.0	5.9%
E4561F	Manning-Schaller-Wabek complex, 6 to 35 percent slopes	0	25.0	0.9%
Subtotals for Soil Survey Area			2,732.0	99.0%
Totals for Area of Interest			2,760.0	100.0%

Hydric Rating by Map Unit— Summary by Map Unit — Stark County, North Dakota (ND089)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
E0454B	Daglum-Rhoades complex, 0 to 6 percent slopes	0	1.9	0.1%
E0563B	Janesburg-Dogtooth silt loams, 0 to 6 percent slopes	0	19.1	0.7%
E0634B	Lawther-Daglum complex, 2 to 6 percent slopes	0	0.0	0.0%
E0651B	Regent-Janesburg complex, 3 to 6 percent slopes	0	2.9	0.1%
E0727B	Barkof-Janesburg complex, 3 to 6 percent slopes	0	0.2	0.0%
E2439B	Sen-Janesburg silt loams, 3 to 6 percent slopes	0	0.2	0.0%
E2439C	Sen-Janesburg silt loams, 6 to 9 percent slopes	0	0.1	0.0%
E2741D	Cabba-Chama-Sen silt loams, 9 to 15 percent slopes	0	0.6	0.0%
E2913B	Chama-Sen-Cabba silt loams, 3 to 6 percent slopes	0	2.5	0.1%

Hydric Rating by Map Unit— Summary by Map Unit — Stark County, North Dakota (ND089)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
E4180A	Korell-Daglum- Fluvaquents complex, channeled, 0 to 2 percent slopes, frequently flooded	42	0.4	0.0%
Subtotals for Soil Survey Area			28.0	1.0%
Totals for Area of Interest			2,760.0	100.0%

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Appendix C

Beaver Creek Archaeology Survey Letter

Joel D. Asp
Restoration Ecologist
SEH
1200 25th Avenue South
P.O. Box 1717
St. Cloud, MN 56302-1717

3/14/2016

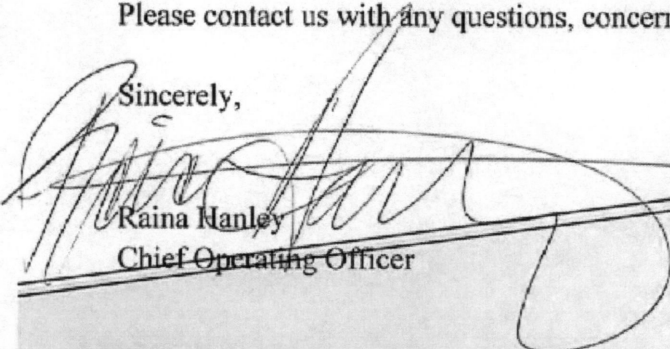
Dear Mr. Asp,

As requested, a file search was done by Beaver Creek Archaeology (BCA) at the North Dakota State Historic Preservation Office (NDSHPO). The area(s) searched were Sections 1, 2, and 12 of T139N R100W located in Billings County, North Dakota. The search of records at the NDSHPO revealed the following results: No sites are on file within Section 12. Six isolated finds (isolated finds are considered ineligible to the National Register of Historic Properties (NRHP)) on file within Section 2. One isolated find and one architectural site are located within Section 1.

The specific quarter sections in question did not reveal any significant previously recorded cultural resources within their boundaries. Specifically, SW $\frac{1}{4}$ of Section 1 in T139N R100W, SE $\frac{1}{4}$ of Section 2 in T139N R100W, and the N $\frac{1}{2}$ of Section 12 in T139N R100W are all clear of any known location of cultural properties. The S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 1 in T139N R100W did reveal one ineligible isolated find. The search was completed on Friday, March 11, 2016.

Please contact us with any questions, concerns, or clarifications you may have.

Sincerely,


Raina Hanley
Chief Operating Officer



Beaver Creek
ARCHAEOLOGY

WHERE PROGRESS MEETS PRESERVATION

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