

June 2008

# Devils Lake Roads-Acting-as-Dams Project Update

## Environmental Documents Signed— Project Moves Into Construction Phases

The Devils Lake Roads-Acting-as-Dams Environmental Assessment (EA) and Finding of No Significant Impact were signed on June 5<sup>th</sup> in a ceremony at the Spirit Lake Casino, near Devils Lake, North Dakota. The documents and statements of support were signed by the Federal Highway Administration (FHWA), the Spirit Lake Nation (SLN), the Bureau of Indian Affairs (BIA), and the North Dakota Department of Transportation (NDDOT).

dams, building perimeter dams that connect high ground outside of the road network, and equalizing the water elevation by installing culverts on portions of some roads that are acting as dams. These alternatives will protect all roads identified in the project, and will provide additional protection to homes and lands, including SLN lands and resources, and North Dakota's Camp Grafton Nation Guard training facility.

source and regulatory agencies, was able to come together to deliver a highly complex EA in only 20 months—16 months under the national average.

With this milestone reached, the project can move on to the next steps. These include final design, acquisition of right-of-way, and design of mitigation measures. Residents should see construction beginning next summer.

A map of the selected alternatives is available on page 2. To learn more details about the selected alternatives, please refer to the back of this newsletter for

This is a complex project. A diverse group including the above agencies, the US Army Corps of Engineers, and various State, County, and re-

The preferred alternatives selected were Alternatives 1A, 2D, 3A, and 4B. This includes building roads to function safely as

## Project Purpose

As Devils Lake has risen over the past several years, culverts were plugged under some roads to protect land and homes. However, since the roads were not designed to act as dams, this resulted in potentially unsafe structures.

The purpose of this project is to address the safety concerns associated with Roads-Acting-as-Dams to maintain a safe

transportation network in the Devils Lake area.

The first stage of this project will construct the embankments to increase the safety of the structures and to protect against structural failure. This stage will not completely remove the risk of the Lake overtopping the structures, should the Lake continue to rise.

An Emergency Action Plan is being developed by the Spirit Lake Nation and Benson and Ramsey Counties to prepare for such an event. The plan will be field tested in September of this year.

Additional benefits of this project include the protection of homes and land within the Acorn Ridge and St. Michael areas.



**Project partner representatives sign Environmental Documents, completing this step of the project.**

### Inside this issue:

|                                 |          |
|---------------------------------|----------|
| Alternatives Selected           | <b>2</b> |
| Alternatives Map                | <b>2</b> |
| Phased Building Process         | <b>2</b> |
| Project Funding                 | <b>3</b> |
| Project Timeline                | <b>3</b> |
| How Will the Project Affect Me? | <b>3</b> |
| For Further Information         | <b>4</b> |

### Project Partners:

- Federal Highway Administration, Central Federal Lands Highway Division
- Spirit Lake Nation
- Bureau of Indian Affairs
- North Dakota Department of Transportation
- Federal Highway Administration, North Dakota Division
- US Army Corps of Engineers

**Federal Highway Administration,  
Central Federal Lands Highway Division**  
 12300 W. Dakota Ave.  
 Lakewood, CO 80228

Phone: 720-963-3691  
 Fax: 720-963-3610  
 E-mail: Melissa.Dickard@fhwa.dot.gov

**Devils Lake  
Roads-Acting-as-Dams  
Project Update**

## For Further Information

Copies of the Devils Lake environmental documents are available for review on our website or at the following locations:

- Spirit Lake Nation Tribal Headquarters, Fort Totten
- BIA Fort Totten Agency Headquarters, Fort Totten
- NDDOT, Devils Lake District Office
- Devils Lake Public Library
- FHWA, North Dakota Division, Bismarck, ND
- NDDOT Headquarters Building, Bismarck ND
- Devils Lake City Offices
- Frith and Steffan Law Office, Devils Lake ND
- Ramsey County Emergency Management Office, Devils Lake
- US Post Offices in St. Michael and Fort Totten

For copies of maps or for other information, please visit our website:

<http://www.cflhd.gov/devilslake>

or contact:

Melissa Dickard  
 FHWA  
 12300 W. Dakota Ave.  
 Lakewood, CO 80228  
 (720) 963-3691  
 Melissa.Dickard@fhwa.dot.gov

For information on the Emergency Action Plan, contact:

- Joe Alberts for Spirit Lake Nation at 701-766-1706
- Tim Heisler for Ramsey County at 701-662-7001
- Gene Hager for Benson County at 701-473-5496



**BIA Route 2 after emergency work completed on the Phase 1 project.**

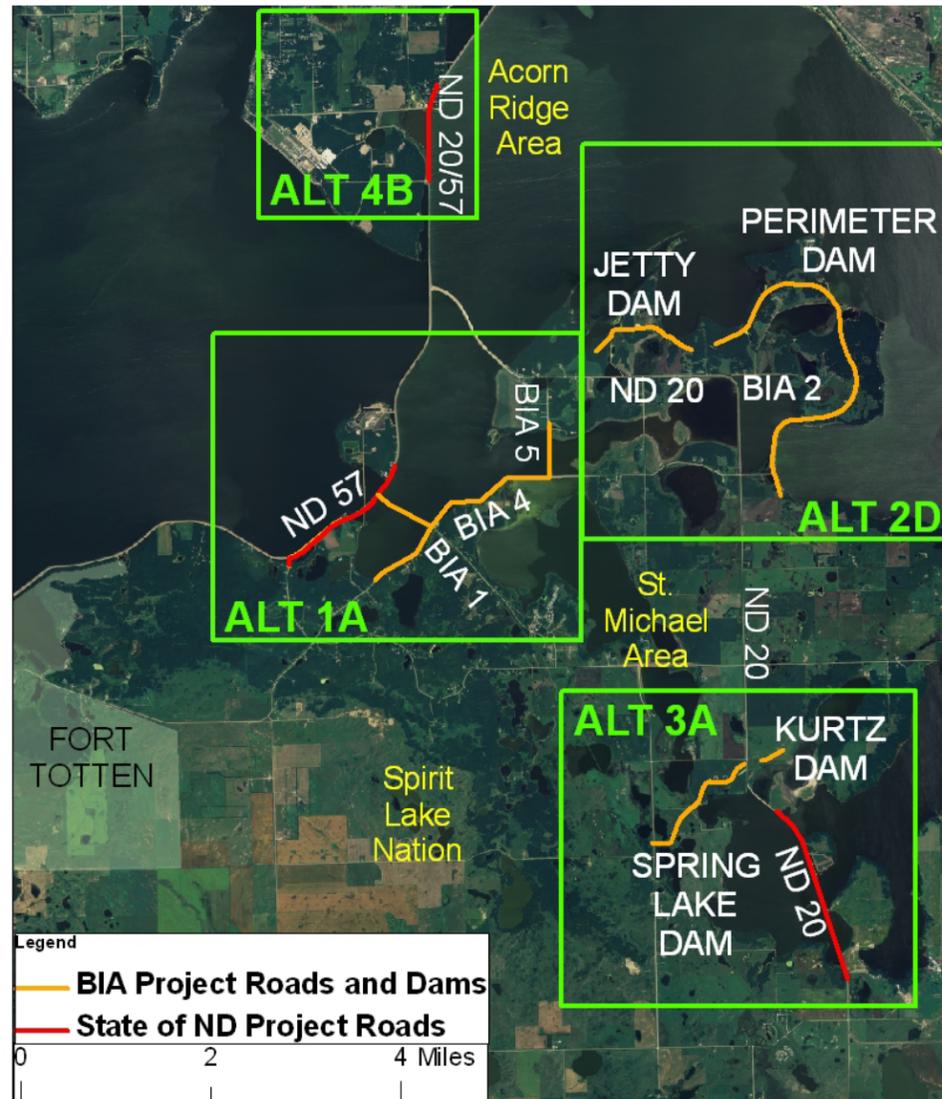
**Please visit our website at  
<http://www.cflhd.gov/devilslake>**

## Alternatives Selected



Low spot on ND 20. This area will be protected as part of the project.

Design for the first stage of the project is underway and construction is scheduled to begin in Summer of 2009.



Inundated area along ND 20.

## Project Funding

Initial funding for the project comes from the US Department of Transportation funding bill, SAFETEA-LU, passed in 2005. In Section 1937 of the bill, Congress directed the Secretary of Transportation to use a total of \$70M to resolve the Roads-Acting-as-Dams issue for the continuation of roadway services.

Other funding will come from the ERFO (Emergency Relief for Federally Owned Roads) program, the NDDOT, and potentially from the BIA.

Funding needed for the first stage of the project is estimated at \$120 million. This includes construction, final design, right-of-way acquisition, and construction oversight.

Although dependant upon future funding, completion of the full project would provide protection to the expected highest levels the Lake can reach. This would involve building all embankment structures to an elevation of 1468 feet for a total estimated cost of \$280 million. This is in today's dollars, so the total project cost would be higher in the future considering changes in cost of materials and inflation.

## Project Timeline

- 2005 Congress passes SAFETEA-LU, the transportation bill which provides funding for this project. Project team is assembled.
- 2006 Work begins on Phase I emergency project to address immediate issues of safety and overtopping. Planning for Phase II project, which will provide a more permanent solution, begins.
- June 2008 Environmental documents for Phase II project completed and design progresses.
- 2008-2009 Final design phases, land acquisition for right-of-way, and relocation of three homes affected by the project.
- 2009-2011 Construction of first stage of Phase II project scheduled.
- After 2011 Ongoing monitoring and coordination regarding Lake levels and potential future project stages.

The first stage of the current project is expected to cost \$120 million.

## How Will the Project Affect Me?

### Construction and Traffic

Construction is scheduled to begin in 2009 and to last approximately three years. During this time, residents may experience moderate traffic delays and detours, and increased dust or noise from construction. There will also be increased truck traffic in the project area. Residents will see construction-related signs throughout the project area, and are encouraged to follow all speed limits

and warning signs to keep both residents and workers safe.

Emergency vehicles will be allowed through construction at all times.

### Affected Landowners

Landowners potentially affected by any of the selected project alternatives were contacted in November of 2007. Now that the

preferred alternatives have been chosen, the list of affected landowners can be finalized. Landowners and residents who will be directly affected by the project will be contacted in the next couple of weeks via a letter, and will be invited to attend a meeting with the project partners to discuss the specific impacts to their land and/or residence.



Phase I emergency project work on Jetty Dam.

## Phased Building Process

Due to budget constraints and the commitment to spend tax dollars wisely, the project partners concluded that the actual construction of the project would occur in stages.

The first stage of this project is in the design phase now, with construction scheduled

to begin in 2009. It will involve improving the safety of existing roadway fill structures, and building all fill structures to approximately 1,455 feet elevation.

By phasing the construction of the project, available funds will be used to address immediate safety

concerns and the current lake level. If the wet cycle ends earlier than predicted, and the Lake does not reach its ultimate height, construction would end thereby saving tax dollars. Should the Lake continue to rise, the project structures would be raised as funding becomes available.



Devils Lake Project public meeting.