

EI-3007

KB
U.S. Department of Homeland Security
Region V
536 South Clark Street, Floor 6
Chicago, IL 60605



FEMA

June 5, 2007

Burns & McDonnell Engineering Company
Attn: Stephen Thornhill
P.O. Box 419173
9400 Ward Parkway
Kansas City, Missouri 64141

RE: Construction of railroad line to the new Minnesota Steel Industries plant to be located in Nashwauk in Itasca County, MN

Dear Mr. Thornhill:

Thank you for sending us a request to review the above referenced project. It appears some of the rail line construction will take place in federally identified Special Flood Hazard Areas (SFHAs) depicted on the Itasca County Flood Insurance Rate Map (FIRM), prepared for participation in the National Flood Insurance Program (NFIP).

Itasca County participates in the NFIP. Therefore, the county floodplain administrator will have to issue a floodplain development permit for the development affecting floodplains, in accordance with the county's floodplain management ordinance. Additionally, a State of Minnesota floodplain permit may be required. Please contact the Minnesota Department of Natural Resource Water Area Hydrologist (Erica Herr 218-327-4232) for further information.

Further, Presidential Executive Order 11988, Floodplain Management, directs federal agencies to avoid *any action*, including permitting, funding, or constructing, in SFHAs, unless the cognizant federal official first makes the requisite finding of no practicable alternative. The Order further directs federal agencies to avoid actions, which encourage further development of floodplains. The Order mandates an eight-step public mitigative process if the floodplain can not be avoided.

Thank you for the opportunity to review and comment. If you have any questions, please call Jennifer Scholl at (312) 408-5205.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Reuss Fell".

Terry Reuss Fell, Chief
Hazard Identification & Risk Assessment Branch
Federal Insurance & Mitigation Division

Cc: Region V Environmental Officer
NFIP State Coordinator