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Mr. Dennis E. Breitzman, Area Manager
Red River Valley Water Supply Project
U.S. Bureau of Reclamation
Dakotas Area Office
P.O. Box 1017
Bismarck ND 58502-1017

Re: RRVWSP DEIS

Dear Mr. Breitzman:

Thank you for the opportunity to provide substantive input to the *Red River Valley Water Supply Project (RRVWSP) Draft Environmental Impact Statement (DEIS)*. The identification of a viable, in-basin water supply alternative within the RRVWSP DEIS is an unprecedented and forward thinking opportunity to meet water needs within the boundaries of the Red River watershed in an environmentally responsible and solution-oriented manner, and should be given full and fair consideration.

The **Red River Basin Alternative** is a sustainable and implementable solution that meets the caveats of the RRVWSP to provide for the long-term water needs of the Red River Basin in a way that is conservative of both economic and natural resources. As stipulated by NEPA and Council on Environmental Quality regulations (DEIS, p. 29) this alternative meets the purpose and need for action, as well as being technologically and economically feasible. This alternative has the additional advantage of providing resolution to the past, present and potential strife and controversy at the interstate and international level that accompanies alternatives that propose the utilization of water sources outside of the Red River Basin watershed.

Interstate Cooperation: The level of cooperation with Minnesota in the identification of in-basin water sources to meet anticipated needs in the Red River Basin is recognized and appreciated. Continued collaboration and cooperation in the identification of surface and groundwater resources within the watershed and across state lines is recommended and encouraged. In addition, the establishment of an inter-jurisdictional and interagency agreement or compact for sustainable water resource sharing and use is recommended herein, as a means to strengthen this alternative across state lines. This accord should encompass: bi-state agreement on sustainable water withdrawals in the basin; ongoing monitoring and adaptive water management strategies; and the option for legislative or regulatory implementation. The Great Lakes Basin Sustainable Resources Agreement can serve as one of several models of both provincial-state international and interstate agreement upon which an interstate water compact for a Red River in-basin water source alternative can be formulated.

Water Conservation: Water conservation strategies are important components of the water supply project. They constitute best practices during normal conditions, but are essential during drought conditions. Proven conservation strategies that reduce water demand and use abound, and are well documented in Raleigh-Durham (NC), cities along the front range of the Rockies in Colorado, and numerous other areas. Methods such as automated meters to accurately gauge use/billings and water-rate structures that function as demand management tools have been incorporated in numerous water supply plans, and are the most common approaches to water conservation. The RRVWSP DEIS assessed "reasonable water conservation measures" in their calculation of reduced Red River Valley water system per capita demand. The inclusion of water conservation in the environmental assessment process should go beyond this analysis, to include not only the benefits of water conservation strategies that are commensurate with normal-to-drought conditions, but the value of avoided environmental impacts that result from conservation.

On a larger scale, effective water conservation should include a cumulative effects assessment that measures not only potential savings in water use, but also the impacts of accumulated water withdrawals, both consumptive and non-consumptive, across the watershed/basin ecosystem. Relative to the RRVWSP DEIS, this is applicable to both the in-basin and out-of-basin alternatives that have been proposed. Within the Red River Basin Alternative, the location and extent of water resources, projected water withdrawal (i.e., surface and subsurface) and water use need to be assessed, potentially through an effort to map basin groundwater watersheds in terms of current and projected levels, as a function of human water withdrawal. A system for monitoring and reporting of the surface and subsurface watershed is also recommended. Reporting should include an ongoing assessment of water conservation practices, the impacts of water withdrawals, and watershed restoration activities that mitigate or prevent damage from water withdrawal. In terms of out-of-basin alternatives, proposed withdrawals from the Missouri River should be measured and assessed in terms of the environmental consequences in a drought condition similar to the drought parameters utilized to estimate need in the Red River basin.

Drought Contingency Planning: Drought contingency planning is an essential component of responsible water management, and is highly relevant to the RRVWSP. As summarized in the DEIS (pp. 280-281), the city of Fargo has developed a Drought Management Plan that details five drought-related water demand reduction strategies that range from no reduction of water demand in normal conditions, through 5-10%, 10-20%, 20-30% and >30% reductions, correlated to increasing drought severity. Although the Final Needs and Options Report (Appendix C, Attachment 9) calculated significant construction cost savings associated with drought contingency-related reductions in water demand in all project alternatives, the RRVWSP DEIS concluded that,

> *"All of the alternatives except No Action would meet future water demands without incorporating drought contingency measures in water demand estimates. Because of the uncertainties involved in estimating future water demands and future water supplies, drought contingency measures are reserved as an important safety factor that would be implemented if unforeseen events would occur* (pp. 281-282).

It is incongruous that the RRVWSP DEIS finds the uncertainties in estimating future water demands and supplies too high to factor in realistic drought contingency measures, yet not too high to put forth water supply alternatives that range from the hundreds of millions to billions of dollars. It is recommended herein that substantive and credible drought contingency measures be incorporated into the RRVWSP. It is further recommended that drought contingency planning be expanded basin-wide. Responsible and sustainable water and natural resource management dictates that measures to curb water use during droughts should be mandatory, significant, and commensurate with drought severity.

Fiscal Conservation and Planning: According to the RRVWSP DEIS,

> *"The seven action alternatives have varying degrees of construction phasing potential, i.e., some features could be built and put into operation before an alternative is completed... An alternative with features suitable for phased construction has an advantage over an alternative with limited phasing potential. The primary advantage in phasing construction is that Project features that are not immediately needed could be built and funded later when size of the features would be better understood and increased population and new industry could help finance these feature.* The North Dakota In-Basin Alternative has the lowest percent of total cost for the most expensive feature at 47%, which is closely followed by the Red River Basin Alternative with at 54%. These alternatives would have more construction flexibility than the others. The GDUWater Supply Replacement Pipeline Alternative, which has a main alternative feature comprising 99% of the overall alternative cost, has the least construction flexibility. Generally, the Missouri River import alternatives have less flexibility... (pp. 279-280).

Both the North Dakota In-Basin Alternative and the Red River Basin Alternative represent more fiscally conservative approaches in that they obviate the need for large, "up-front" capital outlays mandated by the Missouri River options, which may or may not be required 30 to 50 years hence. The in-basin alternatives can be implemented in a phased approach, commensurate with need based on actual population, demand and climatic condition. This fiscal conservatism is especially important, given our current budgetary and deficit conditions at the federal level.

Environmental Conservation and Planning: Drought, like flooding, is part of a natural cycle within which the Red River Basin region has evolved over the millennia. While the case can certainly be made that human activities have altered the intensity and/or frequency of these natural phenomena, native flora and fauna (aquatic and terrestrial) of the region have adapted to this dynamic flow scenario. Although the RRVWSP DEIS depicts habitat improvements in the Sheyenne and Red Rivers from the alternatives that augment in-stream flows using Missouri River water (pp. 48-63), it should be noted that flow variability can be ecologically critical for some native species, and it can be presumed that other aquatic species have adapted to variable high flow/low flow/no flow conditions. It should therefore not be assumed that in-stream flow augmentation into the Sheyenne and Red Rivers, particularly when there is a risk of out-of-basin biota transfer, is wholly beneficial. In addition, when the hydrologic regime of the Missouri River watershed is altered from permanent withdrawal of water out of that basin, those impacts also need to be addressed for varied climatic conditions.

Conflict Resolution: The most effective public policy is based upon a foundation of sound science, particularly with regard to sustainable natural resource management. The Draft Report on the *Red River Valley Water Needs and Options* and the *Red River Valley Water Supply Project DEIS* has generated a significant amount of intrastate, interstate, and international controversy, debate and disagreement. The development of the Red River Basin Alternative as described in the DEIS would obviate several areas of serious and unresolved controversy that have been raised at the state and federal agency level. As such, it has a higher likelihood of acceptance and implementation in a shorter timeframe. Areas of discord that would be eliminated as a result of this alternative are summarized as follows:

1. RRVWSP DEIS planning horizon and estimates of population/industrial growth and water use/need in the Red River Basin: Many entities have stated that a 50-year planning horizon is untenable and inherently invalid. The population projections utilized in the DEIS did not follow standard population projection techniques, and have generated agency-based disagreement (i.e., USEPA, MN DNR, MO DNR, etc.) Implementation of this in-basin alternative can be phased according to more accurate population projections (i.e., less than 20-year) and actual water use and drought-related demands.
2. RRVWSP DEIS estimates of population growth and water use/need in the Missouri River Basin: While the analysis of future growth and need in the Red River Basin incorporated significant growth projections and 1930s-style drought conditions, the assessment of Missouri River withdrawals assumed no growth or increase in existing water usage, unless a documented plan was already in place. The Red River In-Basin Alternative obviates the need for Missouri River Water, and the subsequent potential ecological impacts of river water withdrawal.
3. Political jurisdiction of the Garrison Conservancy District: Concern over the gubernatorial delegation of the ND Garrison Conservancy District to represent the state of North Dakota has centered around their conflict of interest with the outcome of the RRVWSP DEIS, based on the potential for financial gain for the alternative that they have identified as preferred by the state. The Red River In-Basin Alternative removes this potential conflict of interest.
4. Insufficient or unacceptable assessment of the risk assessment for biota transfer: Because 4 of the proposed alternatives involve the movement of water across the Continental Divide and into the Hudson Bay drainage, it is imperative that the potential risks of biota transfer and the accompanying ecological and economic impacts be thoroughly analyzed and understood. This has regional, national and international significance. State and federal agencies have raised significant concerns with the process and conclusions in the DEIS. The Red River In-Basin Alternative removes this controversy and the risk of interbasin transfer of biota.

In summary, a great deal of time, energy and effort has been put into the RRVWSP DEIS. One of the most positive results of this process has been the identification of the environmentally and economically viable Red River Basin Alternative. This alternative has the capacity to meet the needs of the RRVWSP in a biologically and politically acceptable manner. It is an alternative that is acceptable to all of the regional, interstate, and international jurisdictions. Its economic viability lies in the fact that it can be implemented in response to actual drought conditions, without large, "up-front" outlays of cost and infrastructure that would be incurred from

interbasin alternatives. I urge that we have the collective courage and will to choose and implement this water supply project that is based on future viability and sustainability, rather than past constraints and conditions. I look forward to being a supportive partner in the implementation of this in-basin alternative. Thank you.

Sincerely,

Genevieve Thompson /dms

Genevieve Thompson
VP and Executive Director, Audubon Dakota