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**COMMENTS OF
CHAIRMAN TEX G. HALL
MANDAN, HIDATSA AND ARIKARA NATION**

**REGARDING
THE RED RIVER WATER SUPPLY PROJECT**

Hello everyone. For those of you that do not know me, my name is Tex Hall, and I am the Chairman of the Mandan, Hidatsa & Arikara Nation. Thank you for the opportunity to submit comments on the proposed Draft Environmental Impact Statement concerning the proposed Red River Water Supply Project. For the record, my comments tonight are the Tribes' preliminary views and comments. We have not had adequate time to review the draft EIS and we will submit written comments when our analysis of the Draft Environmental Impact Statement is completed.

My first comment has concerns the Tribes' involvement in this project or rather the lack thereof. While it is true that some of my staff have attended meetings concerning this project, and while it is true that we began requesting to be made a member of the Cooperating Agency Team in July of 2005, those activities do not constitute government-to-government consultation. The proposed Red River Water Supply Project is a federal undertaking, and as such, requires pre-decisional consultation with Tribal Nations to assess potential impacts to Tribal resources and interests.

I therefore request that direct, meaningful, government-to-government consultation between our Nation and the Bureau of Reclamation begin as soon as possible. And, after seeing the locations and dates of your public

hearings, I would like to invite you to hold an additional public hearing at Four Bears. Other than tonight's hearing, all of the other proposed hearings are planned for eastern North Dakota and western Minnesota, making it difficult if not impossible for folks from our part of the state to be able to submit comments on the proposed project.

Our July 2005 request to become a Cooperating Agency on the proposed project received a reply yesterday, and I would like to thank Dave Koland and Reclamation for your affirmative response to our request. We look forward to working with you on this important project.

I understand that there are seven alternatives proposed for this project, and that the maximum impact to lake levels would be a 6 to 8 inch drop in the level of Lake Sakakawea. This information gives rise to several questions: Will this drop occur when we, too, are experiencing drought conditions? What about system storage requirements and criteria that would determine preclude levels? How many million acre feet of water will need to be in system storage to allow for a taking that would lower the Lake levels 6 to 8 inches? Will our water quality issues be taken into consideration before a taking is allowed? Will there be any limitations on uses of water flowing through this project – will the water be used for human and household use only, or are we talking about irrigation only, or no restrictions on use at all? Will there be provisions which outline a priority of use of the water in Lake Sakakawea?

Our Nation has grave concerns about impacts to our water quality when water is taken from Lake Sakakawea. We have learned that the

concentration of existing contaminants and heavy metals in the lake increases exponentially as lake levels decrease, and that we begin to experience water quality issues at 1805 msf. Moreover, when the lake levels are low due to drought, wave action increases sedimentation problems which in turn increase water quality problems. These issues must be taken into consideration before water is taken from the reservoir.

We have been working closely with the US Army Corps to address drought impacts to lake levels that caused one of our intakes to go dry last year. We have shared with them our concerns about water quality and quantity, particularly where our vulnerable populations are involved: we have many tribal members who suffer from diabetes or who are on dialysis, and if we run out of water, these folks will have a very difficult time, as they cannot drink or cook with well water, which would be the only available source of water. The Corps has responded by assuring us that they will never knowingly cause impacts to health or human safety by the way they manage the River, and we need the same assurance as this project is developed.

We would also like to know whether the water to be sent east will be sold to those communities that will use it, and whether the communities who now depend on the water in Lake Sakakawea expect to share in those profits?

What other alternatives have been explored in addition to the proposed pipeline project? It's my understanding that there was once a proposal to collect, treat and store floodwaters for use during drought events, is that a viable alternative in this situation?

In addition to the high costs of piping water over such great distances, the Mandan, Hidatsa and Arikara Nation also has serious concerns about the impacts to our irreplaceable and sacred places that are located all along each of the proposed seven alternatives. These sacred and cultural resources are our spiritual and cultural classrooms, they are still spoken of and visited today by our Tribal members; we make use of them whenever we can. Many of these places are embedded in our origin stories and our oral histories; they tell us who we are, who we belong to, where we're from, and it is imperative that they be preserved and protected for the use of our future generations. We must work to avoid impacting any of them, because they are all that we have left of the places that connect us not only to our ancestors, but to the Earth and the Universe.

This concludes my comments. Again, thank you for the opportunity to comment.