



# Minnesota Department of Natural Resources 199

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PROJECT		
CONTROL NO.		
FOLDER I.D.		

March 2, 2007

Ms. Signe Snortland  
Dakota Areas Office  
U.S. Bureau of Reclamation  
P.O. Box 1017  
Bismarck, North Dakota 58502-1017

## RE: 30-day comment extension request for the Supplemental Draft Environmental Impact Statement (SDEIS) for the Red River Valley Water Supply Project

Dear Ms. Snortland:

The Minnesota Department of Natural Resources (DNR) is a Cooperating Agency regarding this SDEIS. In this capacity and for the reasons listed below, we request a 30-day extension of the comment period. Your agency indicated at the Cooperating Agency (CAT) meeting on February 28, 2007 that other parties requested an extension and that you felt none was necessary because the comment period for the original DEIS has been kept open for over a year.

Our reasons for requesting this relatively short time extension are as follows.

1. Portions of the text and underlying analysis of the SDEIS contain substantial new information that was not available for review during the DEIS public comment period. While it is true that the comment period of the original Draft EIS has been open for an extended time, it is also apparent that key portions of the previous analysis have been substantially modified. We are aware that, after publication of the original DEIS, an agreement was reached between USBR and the Environmental Protection Agency to work together on developing substantial additional information on nine tasks. Four of these, two tasks regarding biota transfer, the water quality modeling task, and one task on alternatives analysis, are directly related to Minnesota resources and policies on the Red River. A fifth task on the Missouri River Depletion Analysis is also of interest to us because, as noted in previous comments, we consider impacts to Missouri River aquatic habitats in relation to environmental trade-offs from taking water away from one river and putting it into another.

2. The topic of biota transfer has long been of interest to Minnesota and the SDEIS contains a new 637-page report, the USGS failure analysis report, which has not previously been available to us. In addition, according to EPA staff present at the CAT meeting of February 28th, extended discussions and meetings were held between the USBR and EPA on the biota transfer topic since last spring. It isn't clear how these discussions are reflected within the SDEIS. Note that we indicated at the CAT meeting we felt it needed to be in the EIS. We are attempting to obtain additional information from the EPA regarding the discussions. Given the schedule for the

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929



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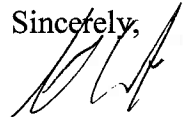
Final EIS, Record of Decision and Report to Congress, this important information should be available to us before we finalize our SDEIS comments.

3. The selected Preferred Alternative proposes to set a minimum flow target for the Red River, a water body subject to both Minnesota and North Dakota law, regulations, and policy. The combination of complex technical and policy issues associated with such a target, especially if it is to be achieved by a supply from the Missouri River, complicates and extends the time needed for review.

4. Many items listed in sections of the SDEIS comparing Alternatives as Advantages/Disadvantages are either wholly or partially policy and legal rather than technical issues. This is especially true regarding the Red River Basin alternative, where various forms of opposition from Minnesota are cited as disadvantages. We have previously commented that Minnesota's response to a severe drought in the U.S. portion of the Red River Basin would likely be cooperative in solving problems rather than oppositional. The policy content inherent in many of the items listed in the Alternatives Analysis lengthens the time needed to develop a proper response to such serious interstate and international issues.

Thank you for your consideration of our request. We would like to be able to provide the most accurate and detailed comments possible prior to final federal decision-making regarding a project of such great importance to Minnesota. Please call me at 651-259-5082 if you have any questions.

Sincerely,



Steve Colvin  
Environmental Review Supervisor  
Division of Ecological Services

- c: Laurie Martinson, MDNR Deputy Commissioner
- Kent Lokkesmoe, MDNR Division of Waters
- Lee Pfannmuller, MDNR Division of Ecological Services
- Steve Hirsch, MDNR Division of Ecological Services
- Larry Kramka, MDNR Division of Waters
- Paul Stolen, MDNR Division of Ecological Services
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- John Jaschke, Minnesota Board of Water and Soil Resources
- Larry Svoboda, USEPA Region 8 NEPA Coordinator
- John Giedt, USEPA Region 8 Project Lead