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April 2, 2007

Ms. Signe Snortland
Environmental Specialist
Bureau of Reclamation
PO Box 1017
Bismarck, ND 58502-1017

Dear Ms. Snortland:

On behalf of the City of Fargo, please accept the enclosed comments for the Draft Environmental Impact Statement for the Red River Valley Water Supply project. These comments should be included in your record of public comments.

Thank you for accepting these comments. If you have any questions or concerns with regards to our comments, please contact Fargo City Administrator Pat Zavoral.

Sincerely,

Dennis Walaker
Mayor

DW:sf
Enclosure
wwss



**Appendix to City of Fargo Comment Letter
Supplemental Draft Environmental Impact Statement (SDEIS)
Red River Valley Water Supply (RRVWS) Project**

March 21, 2007

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The following comments were developed by the City of Fargo pursuant to the review of the SDEIS jointly prepared by the Bureau of Reclamation (Reclamation) and Garrison Diversion Conservancy District (Garrison Diversion) for the RRVWS Project. The information provided herein indicates the degree to which the City of Fargo deems previous comments on related RRVWS documentation published for review were addressed in the SDEIS. As such, this document is organized by category per the comment letter and attached appendix submitted on April 13, 2006 per review of the DEIS.

Operational Assumptions

An understanding of the operational assumptions of the alternatives is critical in order for stakeholders to identify the preferred alternative and make key decisions regarding the commitment to the RRVWS Project and the degree of participation. In previous comment letters, the City of Fargo requested that the operational assumptions of the considered alternatives for the RRVWS Project be presented to better comprehend the potential benefits and shortcomings of the respective features comprising the alternatives. The following operational assumptions were specifically requested:

- The triggers associated with utilizing supplemental water supplies;
- The consideration of flows to meet aquatic environment needs;
- Maintaining Thompson-Acker appropriation rights in Lake Ashtabula; and
- The timing and volume of wastewater discharges (return flows) and suitability for downstream use.

While noting that different assumptions were used to revise respective alternatives, the City is pleased that the SDEIS includes the requested operational assumptions, as appropriate. In fact, the differences between the operational assumptions utilized to develop the alternatives greatly enhance the ability to identify potential benefits and shortcomings of the alternatives. Although the disclosure of some operational assumptions remain, the discussion of operational assumptions that follows the presentation of each alternative in Chapter 2 of the SDEIS is deemed sufficient at this point in time. It is anticipated that remaining operational assumptions will be addressed in subsequent phases of project implementation.

Water Demand Projections

As noted in comments pertaining to the DEIS, the City of Fargo supported the completion of a sensitivity analysis regarding the population and water demand projections for the RRVWS Project. Based on the reasonableness of the sensitivity analysis and the consideration of revised operational assumptions, the City of Fargo concurred with the use of Scenario 1 water demands as the basis for developing alternatives, which is reflected in the SDEIS.

From a technical feasibility perspective, questionable features intended to meet peak day demands remain in various alternatives, but the technical concerns expressed by the City of Fargo and others are adequately noted. The City of Fargo is pleased that the

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GDU Import to the Sheyenne River Alternative does not include any of the questionable peak day features, as the alternative was conceptualized to meet peak day demands via discharges from Lake Ashtabula.

Water Quality

To reiterate and reinforce the concerns related to water quality, the following excerpt from the City's DEIS comment document dated April 13, 2006 is provided below:

Due to a lack of plentiful groundwater sources of high quality, the larger water systems located in eastern North Dakota and western Minnesota rely on available surface water supplies of the Red River Valley that are generally considered poor in quality attributable to the challenging characteristics associated with turbidity, color, temperature, hardness, taste and odor, and organics. Furthermore, the water quality of available surface water sources varies with the changing seasons, precipitation events or lack thereof, and upstream reservoir and wastewater discharges. The poor water quality characteristics coupled with increasing surface water treatment requirements pose significant challenges to surface water systems of the Red River Valley.

In anticipation of heightened water treatment requirements, the City of Fargo completed the construction of a new treatment facility in the mid-1990s. The treatment process train, which is primarily comprised of clarification, dual stage softening and recarbonation, ozonation for primary disinfection, conventional filtration, and chloramines for secondary disinfection, has served the intended purpose. From the City's perspective, it is desirable that supplemental water supplies be compatible with the existing treatment processes. It should be noted that the City's water treatment concerns extend to the potential degradation of water quality associated with low flow conditions.

It is understood that considerable effort was expended to more thoroughly evaluate water quality issues as part of the SDEIS. The SDEIS, however, appears to underestimate the everyday risk of violating current surface water regulations along with the impact that recently promulgated and future regulations could have on existing surface water systems. Although it is recognized that available water treatment technologies are capable of addressing elevated concentrations of various constituents of concern, it would be advantageous to avoid the capital and operating cost burden associated with implementing the "readily available" technology referenced in the SDEIS (Executive Summary – Page 9). To that end, the City of Fargo appreciates the considerable amount of study effort put forth to address water quality concerns, which also addressed return flows and associated implications to downstream users. Since it was concluded that "the water quality need identified in the Needs and Options Report and other studies did not significantly influence the development of the Project alternatives" (Executive Summary – Page 9), the concerns expressed in regards to water quality, as they pertain to the alternatives developed for consideration, have been adequately addressed.

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Aquatic Environment

Under the assumption that the associated costs would be assigned to the appropriate state/federal entities and not the users of the RRVWS Project (municipalities and regional water systems), the City of Fargo supports the consideration of aquatic environment flows as recommended by the North Dakota Game & Fish Department. The City is pleased that the GDU Import to the Sheyenne River Alternative is identified in the SDEIS as providing the most benefit with respect to aquatic environment needs, whereas the other alternatives are not capable of providing much benefit to the aquatic community.

Legal Issues

The City of Fargo is pleased the SDEIS appears to recognize previously expressed concerns about the future need for clarification of many North Dakota water laws prior to undertaking any project. The City of Fargo is also pleased the SDEIS recognizes the multiple legal and permitting issues that would require resolution prior to the use of any of the alternatives contemplating use of Minnesota groundwater. Previous comments not recognized in the SDEIS are referenced for purposes of record preservation.

Comments on Alternatives

The City of Fargo is pleased that the No Action Alternative is explicitly identified as not meeting the purpose and need of the RRVWS Project, as defined by the Dakota Water Resources Act (DWRA). Past comment letters provided by the City of Fargo identified various technical feasibility and/or financial concerns associated with considered alternatives as well. Based on the City's concerns and the concerns expressed by other entities, the Lake of the Woods Alternative and the GDU Replacement Water Supply Pipeline Alternative were eliminated as viable alternatives in the SDEIS. The City of Fargo concurs with the elimination of these alternatives.

Of the remaining action alternatives, the City of Fargo maintains its technical and legal concerns noted in previously submitted comment documents. With the exception of not noting the elevated nitrate levels associated with the large Minnesota aquifers utilized under the Red River Basin Alternative, the City recognizes that the SDEIS notes many of its primary concerns in coincidence with the disclosure of the operational assumptions and the presentation of advantages and disadvantages for the respective alternatives. The inclusion of such information serves as a vast improvement as compared to the DEIS, primarily because the inherent differences between the alternatives, representing both cost and non-cost considerations, are now readily discernable. The ability to compare the alternatives facilitates an educated evaluation process. The City commends Reclamation and Garrison Diversion for providing this information in the SDEIS, which profoundly justifies the identification of the GDU Import to the Sheyenne River Alternative as the preferred alternative in the SDEIS.

With respect to water supply planning strategies, the City of Fargo again reiterates its opinion that a multi-basin approach toward preparing for a major drought event should be recognized as a significant advantage for each of the import alternatives. As a

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repeated suggestion for enhancing the GDU Import to the Sheyenne River Alternative, the Wild Rice River or Rose Creek could be utilized to divert water from the Sheyenne River to the Red River. Such a diversion would allow Fargo to maximize the use of existing infrastructure to reduce the extent of capital resources expended on new intake facilities and raw water transmission pipelines, thereby decreasing the cost of related infrastructure at a local level to utilize the RRVWS Project.

Biota Transfer (Risks of Invasive Species)

The SDEIS devotes a considerable amount of discussion towards the risks of transferring an invasive species from Missouri River Basin to the Hudson Bay Basin as a direct result of the implementation of an import alternative. The voluminous discussion even references existing Missouri River Basin and Hudson Bay Basin connections at Page 3-62. Additionally, Page 4-138 of the SDEIS includes the statement, "... past experience shows that invasions of the Hudson Bay Basin from the Missouri River Basin or from other adjoining basins are almost certain to occur whether or not the Project is constructed." As noted in the City's comment document regarding the DEIS, the City of Fargo believes that such a statement is a touchstone for the reasonableness of the GDU Import to the Sheyenne River Alternative and its approach toward providing water to the Red River Valley. Should a biota treatment facility be included in the RRVWS Project, the City of Fargo generally concurs with the environmental mitigation concepts presented in the SDEIS, which includes the implementation of an adaptive management plan.

Financial Analysis

The SDEIS appropriately addresses previous comments provided by the City regarding the financial analysis presented in the DEIS. As suggested, the SDEIS includes the consideration of the current population of the Red River Valley. In addition, the analysis includes an effort to consider the current monthly water rates of existing systems. The City recognizes the assumptions that factored into the financial analysis presented in the SDEIS and realizes that the respective rate impacts will be determined as the funding scenarios and financing options are finalized.