

- Dakotas Area Office, Bureau of Reclamation, 304 East Broadway, Bismarck, ND
- Bureau of Indian Affairs, Fort Berthold Agency, 202 Main Street, New Town, ND
- North Dakota State Library, 603 East Boulevard Avenue, Bismarck, ND
- Standing Rock Administrative Service Center, Building #1, North Standing Rock Avenue, Fort Yates, ND
- Mohall Public Library, 112 Main Street East, Mohall, ND
- Bottineau City Hall, 115 West 6<sup>th</sup> Street, Bottineau, ND
- Millennium Library, 251 Donald Street, Winnipeg, Manitoba, Canada

### Background

The Garrison Diversion Unit's Municipal, Rural and Industrial Water Supply (MR&I) program was authorized by the U.S. Congress on May 12, 1986, through the Garrison Diversion Unit Reformulation Act of 1986. This act authorized the appropriation of \$200 million of Federal funds for the planning and construction of water supply facilities throughout North Dakota. The NAWS project, initiated in November 1987, is being developed as a result of this authorization.

The NAWS project is designed as a bulk water distribution system that will service local communities and rural water systems in 10 counties in northwestern North Dakota including the community of Minot. The NAWS project is an interbasin transfer of water from Lake Sakakawea, in the Missouri River basin in North Dakota to Minot, North Dakota, in the Hudson Bay basin. Reclamation completed an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the project in 2001. Construction on the project began in April 2002. In October 2002, the Province of Manitoba filed a legal challenge in U.S. District Court in Washington, DC to compel the Department of the Interior to complete an EIS on the project. A Court Order dated February 3, 2005, remanded the case to Reclamation for completion of additional environmental analysis.

During the pendency of the litigation filed by Manitoba, construction continued on the project. Construction of the 45 miles of raw water core pipeline began in April 2002 and is substantially complete. The Court has also granted permission for the design and construction of other project features for the distribution system. These project features include a high service pump station and distribution pipeline in Minot, North Dakota and a

distribution pipeline to the community of Berthold, North Dakota.

### Proposed Action

Reclamation proposes to construct a biota water treatment plant for the NAWS project that would reduce the risk of transferring potentially invasive species from the Missouri River basin to the Hudson Bay basin. As a part of this proposed action, Reclamation would implement construction methods and operational measures to further minimize the risk of invasive species transfer that may occur as a result of a failure in the treatment process or conveyance pipeline.

### Purpose and Need for the Federal Action

The purpose of the proposed action is to adequately treat water from the Missouri River basin (Lake Sakakawea) using methods and measures that minimize the risk of transferring invasive species into the Hudson Bay basin. Previous environmental analyses have shown that the risk of the NAWS project transferring invasive species between these two drainage basins is very low. However, in response to the legal challenge by the Province of Manitoba, Canada, and the subsequent order from the U.S. District Court, Reclamation has conducted further environmental analyses of this issue.

### Alternatives

Four water treatment alternatives are evaluated in the Draft EIS to meet the purpose and need for the proposed action. Each of the alternatives includes a combination of treatment features to form a process that reduces the potential risk of the NAWS project transferring invasive species from the Missouri River basin to the Hudson Bay basin. The alternatives considered in the EIS are generally listed in the order of their relative treatment inactivation/removal capability with the No Action Alternative providing the lowest level of treatment and microfiltration providing the highest level of treatment. The alternatives evaluated in the Draft EIS include:

- No Action. The preferred treatment alternative described in the Final EA would include chemical disinfection of raw Missouri River water prior to transfer into the Hudson Bay basin. This alternative includes additional safeguards of pipeline construction and operation to minimize the risk of transferring invasive species as a result of pipeline failure. Ultraviolet (UV) disinfection is provided along with softening and filtration at the existing Minot water treatment plant.

- Basic Treatment. This treatment alternative would include a pre-treatment (Coagulation, Flocculation, Sedimentation) process followed by chemical and UV disinfection prior to the water crossing the drainage divide. The purpose of the pre-treatment process is to reduce raw water turbidity which can influence the effectiveness of the disinfection processes.

- Conventional Treatment. This treatment process would include a pre-treatment of Dissolved Air Flotation (DAF) followed by media filtration and disinfection using UV and chemicals (chlorine and chloramines) within the Missouri River basin.

- Microfiltration. This treatment alternative would include pre-treatment (coagulation, pin floc) followed by membrane filtration and chemical and UV disinfection processes prior to the water crossing the drainage divide.

### Public Disclosure Statement

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: December 10, 2007.

**Michael J. Ryan,**

*Regional Director, Great Plains Region.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Grassland Bypass Project Extension, Merced and Fresno Counties, CA

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of intent to prepare an environmental impact statement/ environmental impact report (EIS/EIR) and notice of scoping meeting.

**SUMMARY:** The Bureau of Reclamation (Reclamation) and the San Luis & Delta-Mendota Water Authority (Authority) are preparing a joint EIS/EIR, pursuant to the National Environmental Policy Act and the California Environmental Quality Act, to evaluate effects of extending the Grassland Bypass Project (Project) until December 31, 2019. The Project's use of the San Luis Drain (Drain) was only authorized until

December 31, 2009. Additionally, subsurface drainage flows discharged to Mud Slough (North) were to have met water quality objectives by October 1, 2010, as required by the Regional Water Quality Control Board, Central Valley Region's (CVRWQCB) 1998 Water Quality Control Plan (Basin Plan) for the Sacramento River and San Joaquin River Basins. However, difficulty in acquiring final funding has delayed the development and availability of treatment and disposal technology to reduce selenium loads to meet the 2010 deadline. It is anticipated that the extension to 2019 would allow enough time to acquire funds and develop feasible treatment technology to meet Basin Plan objectives and Waste Discharge Requirements.

A scoping meeting will be held to solicit input on alternatives, concerns, and issues to be addressed in the EIS/EIR. Written comments may also be sent.

**DATES:** A scoping meeting will be held on Thursday, January 17, 2008 from 1:30 to 3:30 p.m. in Los Banos, CA.

Written comments on the scope of the EIS/EIR should be sent by January 25, 2008.

**ADDRESSES:** The scoping meeting location is the San Luis & Delta-Mendota Water Authority, Board Room, 842 Sixth Street, Suite 7, Los Banos, CA 93635.

Send written comments on the scope of the EIS/EIR to Ms. Laura Myers, Bureau of Reclamation, South-Central California Area Office, 1243 N Street, Fresno, CA 93721, via e-mail to [lm Myers@mp.usbr.gov](mailto:lm Myers@mp.usbr.gov), or faxed to 559-487-5130.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Myers, 559-487-5179.

**SUPPLEMENTARY INFORMATION:** Prior to 1996 when the interim Project was implemented, subsurface agricultural drainage water was conveyed through channels that were also used to deliver water to wetland habitat areas. This dual use limited Reclamation's ability to deliver fresh water to the wetlands.

The interim Project was implemented in November 1995 through an "Agreement for Use of the San Luis Drain" (Use Agreement) (Agreement No. 6-07-20-w1319) between Reclamation and the Authority. A Finding of No Significant Impact (FONSI No. 96-1-MP) was approved by Reclamation for the interim Project, and the environmental commitments set forth in the FONSI were made an integral component of the initial Use Agreement. The Use Agreement and its renewal in 1999 allowed for use of the Drain for a

5-year period that concluded September 30, 2001.

A new Use Agreement (Agreement No. 01-WC-20-2075) was completed on September 28, 2001, for the period through December 31, 2009. This original Project, as well as the proposed extension, consolidates subsurface drainage flows on a regional basis (from the 97,000-acre Grassland Drainage Area); applies the drainage to salt tolerant crops to reduce the volume; utilizes a 4-mile channel to place it into the Drain at a point near Russell Avenue (Milepost 105.72, Check 19); and utilizes a 28-mile segment of the San Luis Drain to convey the remaining drainage flows around wetland habitat areas which it discharges it to Mud Slough (North) and subsequently to the San Joaquin River.

The actions to be analyzed in the EIS/EIR include continued use of the Grassland Bypass Channel and a 28-mile segment of the San Luis Drain, continued discharges to Mud Slough (North), sediment management options within that San Luis Drain segment; ongoing use and development of areas utilized for application of subsurface drainage on salt tolerant crops, and programmatic consideration of future phases of the treatment and disposal program. The Project extension also includes a monitoring program with biological, water quality, and sediment components. Results of the monitoring program are currently reviewed by an Oversight Committee quarterly, or as necessary, to implement the Use Agreement.

In order to continue to discharge into Mud Slough (North) in the State's China Island Wildlife Area, the Authority would need to extend or amend a Memorandum of Understanding with the California Department of Fish and Game, Reclamation would need to extend the Use Agreement with the Authority for the continued use of the San Luis Drain after 2009, the CVRWQCB would need to revise their Basin Plan objectives for 2010 and amend the existing Waste Discharge Requirements in order to allow for anticipated drainage discharge into Mud Slough North, and Reclamation and the Authority would need to remove existing and future sediments from the affected portion of the Drain.

#### **Special Assistance for Public Scoping Meeting**

If special assistance is required at the scoping meetings, please contact Susan Mussett at 209-826-9696, or via e-mail at [susan.mussett@sldmwa.org](mailto:susan.mussett@sldmwa.org). Please notify as far in advance of the meeting as possible to secure the needed

services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available at 559-487-5933.

#### **Public Disclosure**

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: December 17, 2007.

**Susan M. Fry,**

*Regional Environmental Officer, Mid-Pacific Region.*

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## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Reclamation**

#### **Red River Valley Water Supply Project, ND**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of Availability of Final Environmental Impact Statement (EIS).

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), the Bureau of Reclamation (Reclamation) is notifying the public that Reclamation and the State of North Dakota have prepared a Final EIS for the Red River Valley Water Supply Project (RRVWSP). The purpose of the RRVWSP is to supply water to meet the water needs of the people and industries in the Red River Valley through the year 2050. The project's needs were established by Congress in the Dakota Water Resources Act of 2000. The project needs are defined as municipal, rural, and industrial supplies; water quality; aquatic environment; and water conservation measures. Reclamation published a Draft EIS on December 30, 2005. Following public comments on the Draft EIS and the addition of new information, Reclamation published a Supplemental Draft EIS on January 31, 2007. The comment period for the Draft EIS started on December 30, 2005 and continued through April 25, 2007 with review of the Supplemental Draft EIS. Revisions were made to the Final EIS to incorporate responses to comments on the Supplemental Draft EIS and new