

impact the analysis or results presented in the Draft EIS. The Final EIS includes written responses to all public comments on the Draft EIS.

**DATES:** Reclamation will not make a decision on the proposed action until at least 30 days after filing of the Final EIS. After the 30-day waiting period, Reclamation will complete a Record of Decision. The Record of Decision will identify the selected action for implementation and will discuss factors and rationale used in making the decision.

**FOR FURTHER INFORMATION CONTACT:**

Alicia Waters, Northwest Area Water Supply Project EIS, Bureau of Reclamation, Dakotas Area Office, P.O. Box 1017, Bismarck ND 58502; Telephone: (701) 221-1206, or FAX to (701) 250-4326. You may submit an e-mail to [awaters@gp.usbr.gov](mailto:awaters@gp.usbr.gov). Additional information is available to the public regarding this EIS and is posted on the Web site <http://www.usbr.gov/gp/dkao>.

**SUPPLEMENTARY INFORMATION:**

**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. This 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 Project is an inter-basin transfer of water from Lake Sakakawea, in the Missouri River basin to the water treatment plant (WTP) in Minot, North Dakota, in the Hudson Bay basin. Reclamation completed an Environmental Assessment (EA) and issued a Finding of No Significant Impact (FONSI) for the Project in 2001. Project construction began in April 2002. In October 2002, the Province of Manitoba, Canada 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.

Subsequent orders issued by the District Court allowed construction to continue on the distribution systems of the Project while the EIS was being prepared. Construction of the main water pipeline between Lake Sakakawea and the Minot WTP was completed in 2008. This buried pipeline was

constructed with several safeguards which further reduce the risk of a pipeline breach resulting in a Project-related biological invasion.

**Alternatives:** The purpose of the proposed action is to adequately treat the Project water from the Missouri River basin (Lake Sakakawea) to further reduce the risk of a Project-related biological invasion into the Hudson Bay basin. The Final EIS considers four water treatment alternatives, a no action alternative and three action alternatives, to meet the purpose and need for the proposed action. Each of the alternatives evaluated include treatment processes which would occur within the Missouri River basin prior to the water being pumped through the buried pipeline to the Minot WTP. At the Minot WTP, the water would be treated to meet Safe Drinking Water Act standards.

Alternatives evaluated in the Final EIS include a no action alternative, as required by NEPA, and three action alternatives. The alternatives evaluated are:

- No Action. The selected action alternative in the FONSI (Reclamation 2001) was evaluated as the No Action Alternative in the EIS. The treatment process includes chemical disinfection of Missouri River water prior to delivery into the Hudson Bay basin. Ultraviolet (UV) disinfection would be provided along with softening and filtration at the existing Minot WTP.
- Basic Treatment. This treatment alternative would include a pretreatment (coagulation, flocculation, sedimentation) process followed by chemical and UV disinfection prior to 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. Softening and filtration would be provided at the existing Minot WTP.

- Conventional Treatment. This treatment would include a pre-treatment of Dissolved Air Flotation followed by media filtration and disinfection using UV and chemicals (chlorine and chloramines) within the Missouri River basin. Softening and filtration would be provided at the existing Minot WTP.

- 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. Softening and filtration would be provided at the existing Minot WTP.

The Preferred Alternative identified in the Final EIS includes a combination of the treatment processes evaluated in the alternatives described previously.

The treatment process of the Preferred Alternative would include the chemical disinfection evaluated as part of the No Action Alternative and the UV disinfection process evaluated as part of the action alternatives. After this treatment within the Missouri River basin, the water would be pumped through the existing pipeline to the Minot WTP where it would be treated with lime softening and filtration to meet Safe Drinking Water Act standards.

All of the treatment alternatives evaluated would effectively inactivate and/or remove a broad range of organisms, including all of the potentially invasive species evaluated in the Final EIS. Estimated costs for construction and annual operation, maintenance and replacement of the alternatives evaluated are provided in the Final EIS.

**Public Review Locations:** The Final EIS is available for public inspection at the following locations:

- Bismarck Public Library, 515 North 5th Street, Bismarck, ND.
- Minot Public Library, 516 2nd Avenue SW., Minot, ND.
- 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 6th Street, Bottineau, ND.

Dated: November 26, 2008.

**Bobbi C. Sherwood-Widmann,**

*Acting, Assistant Regional Director, Great Plains Region.*

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree Under the Oil Pollution Act**

Notice is hereby given that on November 25, 2008, a proposed Consent Decree ("Decree") in *United States v. f/v North Wind, Inc.*, Civil Action No. 1:06-cv-00272-DAE-BMK, was lodged with the United States District Court for the District of Hawaii.

The civil action relates to the July 1, 2005 incident when the M/V Casitas, a 145-foot motor vessel owned and operated by f/v North Wind, Inc., ran

aground on the reef near North Island at Pearl and Hermes Atoll, a part of the Hawaiian Islands National Wildlife Refuge, and which is also within the Papahānaumokuākea Marine National Monument. In this action the United States and State of Hawaii seek to obtain damages for injury to natural resources under the Oil Pollution Act (OPA).

The proposed Decree would require North Wind to pay \$2,817,626.48 for damages, in exchange for a covenant not to sue from the United States and Hawaii for damages under OPA, the Comprehensive Environmental Response, Compensation, and Liability Act, or state law.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should reference *United States v. f/v North Wind Inc.*, Civil Action No. 1:06-cv-00272-DAE-BMK, and DOJ Ref. No. 90-5-1-1-09389.

The Decree may be examined at the Office of the Civil Division, Torts Branch, at West Coast Office, U.S. Department of Justice, 7-5395 Federal Bldg., Box 36028, 450 Golden Gate Avenue, San Francisco, California 94102-3463. During the public comment period, the Decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$4.50 (25 cents per page reproduction cost) for a copy of the consent decree, payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

**Henry Friedman,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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**DEPARTMENT OF JUSTICE**

**Bureau of Alcohol, Tobacco, Firearms and Explosives**

[OMB Number 1140-0029]

**Agency Information Collection Activities: Proposed Collection; Comments Requested**

**ACTION:** 30-day notice of information collection under review: Records and Supporting Data: Daily Summaries, Records of Production, Storage, and Disposition, and Supporting Data by Licensed Explosives Manufacturers.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 73, Number 189, page 56610 on September 29, 2008, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until January 5, 2009. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to The Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-5806.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Overview of This Information Collection**

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Records and Supporting Data: Daily Summaries, Records of Production, Storage and Disposition and Supporting Data by Explosives Manufacturers.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: None. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. Other: None. Abstract: These records show daily activities in the manufacture, use, storage, and disposition of explosive materials by manufacturers. The records are used to show where and to whom explosive materials are sent, thereby ensuring that any diversion will be readily apparent and if lost or stolen, ATF will be immediately notified on discovery of the loss or theft. ATF requires that records be kept 5 years from the date a transaction occurs or until discontinuance of business or operations by the licensee.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 2,008 respondents, who will take 15 minutes to maintain each record.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 130,520 total burden hours associated with this collection.

*If additional information is required contact:* Lynn Bryant, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Suite 1600, Patrick Henry Building, 601 D Street, NW., Washington, DC 20530.