

What is the Proposed Action?

Reclamation proposes to complete construction of the Project, including the construction of a biota water treatment plant to treat the water from Lake Sakakawea before it is transported through the buried pipeline into the Hudson Bay Basin. As part of this proposed action, Reclamation would implement construction methods and operational measures to further reduce the risk of invasive species transfer that may occur as a result of an interruption in the treatment process and breach in the buried pipeline to the Minot water treatment plant.

What will be evaluated in the Supplemental EIS?

The supplemental EIS will address the relevant issues related to final construction and operation of the Project. This will include but are not limited to the following issues, as well as others that may be identified during the public scoping process. Reclamation invites suggestions for other issues that the public believes should be addressed in the supplemental EIS.

- Evaluate the cumulative impacts of water withdrawals from Lake Sakakawea and the Missouri River.
- Evaluate the environmental consequences within the Hudson Bay Basin as a result of a transfer of potentially invasive species.
- Evaluate the potential effects of regional climate change.
- Re-examine and update, to the extent necessary, previous NEPA analysis completed for the Project.

To assist Reclamation in identifying issues and concerns, comments should be received by **October 12, 2010**. In addition to the public meetings, members of the public may provide comment by mail, fax or e-mail to:

Northwest Area Water Supply Project EIS
Bureau of Reclamation
Dakotas Area Office
PO Box 1017
Bismarck ND 58502-1017

FAX: 701-250-4326

E-mail: NAWS_EIS@usbr.gov

Alicia Waters, EIS Team Leader may also be contacted by telephone at 701-221-1206.

Comments received, including the names and addresses of those who comment will be considered part of the public record and will be available for public inspection, unless requested otherwise by the commenter.

Public Involvement Activities

This scoping announcement is being provided to agencies, groups and individuals who have expressed an interest in the Project. The public is invited to participate in the NEPA process by share information, comments, concerns and ideas. Four public scoping meetings, starting at 6:30 p.m. each evening, are scheduled on the following dates:

- **Monday, September 13, Bottineau**
MSU-Bottineau, Nelson Science Center
Room 125, 105 Simrall Boulevard
- **Tuesday, September 14, Minot**
Sleep Inn – Inn and Suites, North
Convention Center, 2400 10th Street NW
- **Wednesday, September 15, New Town**
4 Bears Casino, Mandan Room, 202
Frontage Road
- **Thursday, September 16, Bismarck**
Best Western Doublewood Inn, Congress
Room, 1400 Interchange Avenue

The meetings will begin with a short presentation by Reclamation staff to share information about what NEPA work has been completed to date and how Reclamation proposes to address new and existing issues in the supplemental EIS.

Following the presentation there will be an opportunity for members of the public to provide comment or ask questions.

RECLAMATION

Managing Water in the West

August 2010
Dakotas Area Office

Northwest Area Water Supply Project

Supplemental Environmental Impact Statement: Public Scoping

The Bureau of Reclamation will prepare a Supplemental Environmental Impact Statement (EIS) on the Northwest Area Water Supply Project (Project). Reclamation has completed environmental studies for this Project which are discussed below. These studies were challenged in U.S. District Court by the Province of Manitoba, Canada and the State of Missouri. A court order issued in March 2010, remanded the case to Reclamation for further analysis. Reclamation decided to prepare a supplemental EIS to address the issues identified by the court in addition to other issues or concerns voiced during public scoping.

The purpose of the public scoping process is to inform those persons and agencies who may be interested or affected by the proposed action, as well as to gather input regarding issues and concerns. The public scoping period began with the publication of a Notice of Intent to prepare a supplemental EIS in the *Federal Register* on August 12, 2010. Anyone wishing to submit comments for Reclamation's consideration should do so by October 12, 2010. Details about how and where to provide comments are provided in this announcement.

Project Background

The 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 (see Figure 1). The Project would convey water from Lake Sakakawea, in the Missouri River Basin, through a buried pipeline to Minot, surrounding communities and rural water systems in the Hudson Bay Basin. The planning, design and construction of the Project is a cooperative effort between Reclamation and the state of North Dakota. Reclamation provides technical and financial assistance to the state of North Dakota for the planning and development of municipal, rural and industrial projects throughout the state. As the lead Federal agency, Reclamation is responsible for ensuring compliance with the National Environmental Policy Act (NEPA), the National Historic Preservation Act and other federal laws.

During Project planning, environmental issues associated with the construction, operation and maintenance of the Project were evaluated as required by the NEPA. A final Environmental Assessment evaluated options to meet the need of the Project, described the potential impacts and identified environmental commitments to avoid, minimize or mitigate for the potential impacts of the Project. Interbasin transfer of water was a key issue evaluated in the planning and development of the Project. Based on this environmental assessment, Reclamation decided to proceed with the proposed project and approved a Finding of No Significant Impact (FONSI) in September 2001.



U.S. Department of the Interior
Bureau of Reclamation

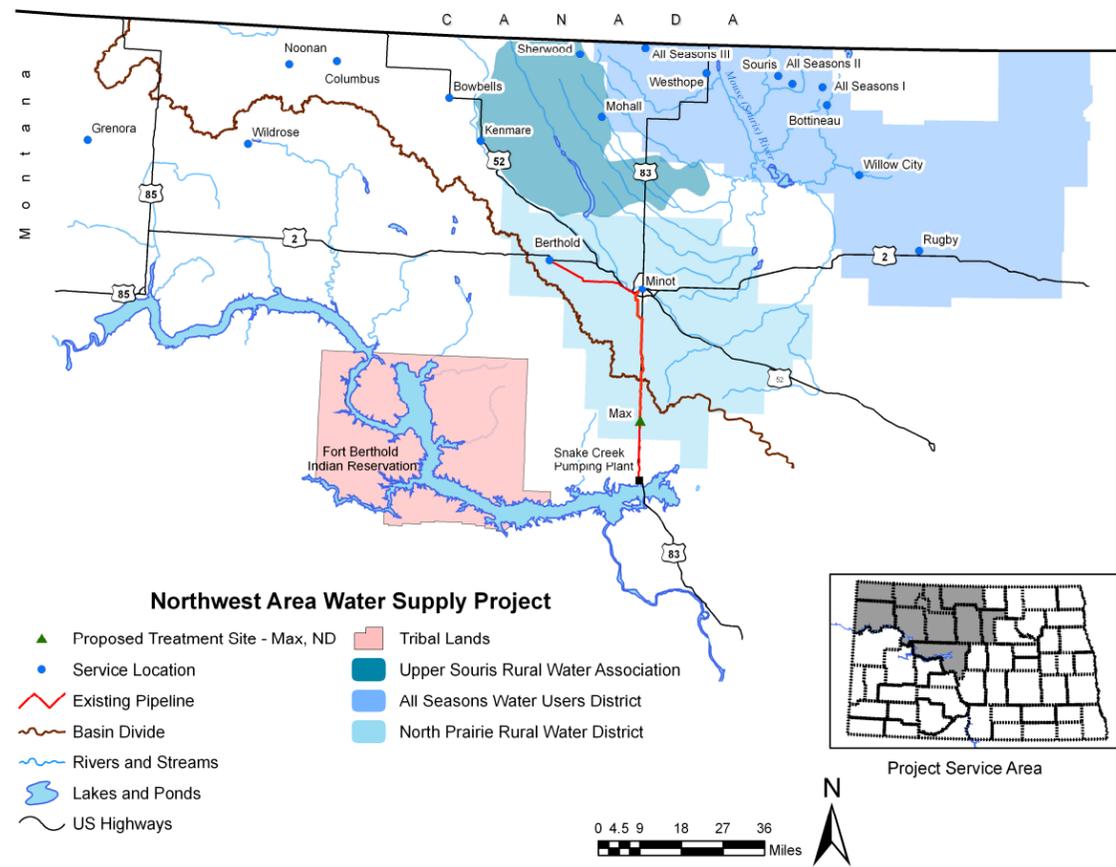


Figure 1. Service area of the NAWS project detailing the construction completed and ongoing construction.

Project construction began in the spring of 2002 on a portion of main transmission pipeline between Lake Sakakawea and Minot. In October 2002, the Province of Manitoba Canada filed a lawsuit against the Department of the Interior in U.S. District Court in Washington, D.C. The Province challenged the adequacy of the environmental assessment and FONSI and requested an injunction prohibiting the authorization or expenditure of federal funds on the Project.

In 2005, the District Court ordered Reclamation to revisit the FONSI upon completion of further environmental analysis. The court also partially denied the request for an injunction allowing Project construction to continue, with some restrictions. In response to the court order, Reclamation initiated additional environmental analysis in the form of an EIS in 2006. Reclamation worked with other government agencies and entities to assist with the preparation of the EIS, as well as gathering input from the

public. The EIS focused on different water treatment methods for the water from Lake Sakakawea as well as the environmental impacts that could occur due to pipeline leaks and failure of the water treatment systems.

A final EIS was published in 2008. (For more information go to Reclamation's website: www.usbr.gov/gp/dkao.) Based on the information contained in the final EIS, Reclamation signed a Record of Decision in 2009. Shortly thereafter, the Province of Manitoba filed a supplemental complaint contending the final EIS was insufficient. The State of Missouri also filed a complaint against the Department of the Interior and the U.S. Army Corps of Engineers in the same District Court. The State of Missouri alleged that Reclamation's final EIS was insufficient and that the Corps of Engineers failed to complete a separate NEPA assessment for the Project. These two complaints were combined by the District Court.

In March 2010 the court remanded to case to Reclamation and the injunction imposed in 2005 remains in effect. The court found the EIS inadequately examined the cumulative impacts of water withdrawals on Lake Sakakawea and the Missouri River and the consequences of transferring potentially invasive species into the Hudson Bay Basin.

What is the current status of Project construction?

Construction activities began in 2002 and the design and implementation of construction features was accomplished in compliance with the environmental commitments Reclamation identified in the FONSI. Reclamation provides construction oversight to ensure environmental commitments are met and will continue to be implemented in the design and construction of future Project features.

Construction progress slowed during the litigation process. As a result of the court order in 2005, construction activity started again and the main transmission pipeline between Lake Sakakawea and Minot has been completed. In addition, sig-



nificant progress has been made on the installation of various segments of the distribution pipeline, storage reservoirs, pump stations and other features necessary to deliver water to communities and rural water users throughout the Project service area.

Several communities and rural water systems are receiving an interim water supply through recently completed portions of the distribution system. The City of Minot has entered into contracts with these water users for the delivery of water from Minot's current ground water supply to several communities and rural water systems. This interim water supply is not sufficient to meet the full demands of these water users, but is a short-term solution to their water quality and quantity issues until the Project can be completed

What is the Need for the Supplemental EIS?

Reclamation is conducting additional analyses to address the court's order regarding the consequences of transferring potentially invasive species into the Hudson Bay Basin and the cumulative impacts of water withdrawals on Lake Sakakawea and the Missouri River. In addition, Reclamation will re-examine and update all prior NEPA analysis that has been completed for the Project.

