



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
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HELENA, MONTANA 59626

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October 2, 2008

Mr. Dan Jewell, Area Manager
 Bureau of Reclamation
 Montana Area Office
 P.O. Box 30137
 Billings, Montana 59107-0137

Re: Cooperating Agency Request, Intake Diversion
 Dam Modification EIS

Dear Mr. Jewell:

This is in response to your letter dated September 19, 2008 inviting EPA to be a Cooperating Agency with the Bureau of Reclamation and the U.S. Army Corps of Engineers during the preparation of the Environmental Impact Statement (EIS) for the Intake Diversion Dam Modification EIS.

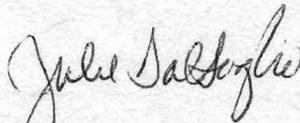
The EPA is interested in providing meaningful and early input on environmental issues of concern for this project. We are particularly interested in helping to ensure protection of water quality, wetlands and riparian areas, fisheries, wildlife, and air quality. The Agency, however, has resource limitations and other program commitments which will have to limit the degree and extent of EPA's participation in the EIS process. These resource constraints and other program commitments make it difficult for me to agree to full fledged participation as a Cooperating Agency during the preparation of the EIS (see 40 CFR 1501.6(c)).

I hope that you understand our resource constraints that make it difficult for me to agree for EPA to have Cooperating Agency status, but we intend to be involved in the EIS process as a participating agency, and will participate in the scoping process, meetings and preliminary EIS reviews as much as our resources, schedules and other program commitments allow. EPA will be reviewing and providing comment on the draft and final EIS's for this project in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Mr. Stephen Potts, EPA Montana Office NEPA Coordinator, who attended the preliminary agency scoping meeting in Billings on May 1, 2008 will participate in the EIS process and provide input and comment as resources and schedules allow. Mr. Potts is expecting to attend the October 22, 2008 public scoping meeting in Glendive and participate in an interagency field trip to the Intake Diversion Dam site on that date as well.



If you have any questions or would like to discuss this matter further please feel free to call me at (406) 457-5001. If you would like to discuss the project with Mr. Stephen Potts of my staff he can be reached at (406) 457-5022 in Helena or at (406) 329-3313 in Missoula, or via e-mail at potts.stephen@epa.gov . Thank you for your consideration.

Sincerely,



Acting John F. Wardell
Director
Montana Office

cc: Larry Svoboda, EPA, 8EPR-N, Denver